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MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 25

October 12, 1908 - May 29, 1911

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NOTES ON ROLL 25

The three volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / 1908 / Supreme Court / of the / United States"; (2) "Minutes / 1909 / Supreme Court / of the / United States"; and (3) "Minutes / 1910 / Supreme Court / of the / United States." They contain the minutes of the Supreme Court of the United States from October 12, 1908, to May 29, 1911.

The first volume contains the minutes of the Court from October 12, 1908, to June 1, 1909; the second, from October 11, 1909, to May 31, 1910; and the third, from October 10, 1910, to May 29, 1911.

VOLUME

1908

352

WILLIAM HOWARD TAFT,

President of the United States of America,

To all who shall see these Presents, Greeting:

KNOW YE, That reposing special trust and confidence in the integrity and ability of Lloyd W. Bowers, of Illinois, I have nominated, and by and with the advice and consent of the Senate, do appoint him Solicitor General, and do authorize and empower him to execute and fulfil the duties of that Office according to Law, and to have and to hold the said Office, with all the powers, privileges and emoluments thereunto of right appertaining, unto him, the said Lloyd W. Bowers.

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Given under my hand, at the City of Washington, the first day of April in the year of our Lord, one thousand nine hundred and nine and of the Independence of the United States of America, the one hundred and thirty-third.

(S E A L)

By the President: Wm. H. TAFT.

GEO. W. WICKERSHAM,

Attorney General.

At the Capitol of the United States, in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October, (being the twelfth day of the same month) in the year of our Lord one thousand nine hundred and eight and of the Independence of the United States the one hundred and thirty-third, the Supreme Court of the United States met agreeably to law.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Bona

Esquire, of Knoxville, State of Tenne
be admitted to practice as an attorn
counsellor of this Court, and he was s
accordingly.

On motion first made to the Court
behalf by Mrs. Ellen D. Mussey, it is
that Ethel M. Colford and Florence
Colford of Washington, District of C
bia, be admitted to practice as attor
and counsellors of this Court, and th
were sworn accordingly.

On motion first made to the Court i
behalf by Mr. R. A. Ferrell, it is ord
that William L. Houston, Esquire, o
Washington, District of Columbia, b
mitted to practice as an attorney a
counsellor of this Court, and he was
accordingly.

On motion first made to the Court i
behalf by Mr. Solicitor General Hoy
is ordered that Charles R. Hemenway,
quire, of Honolulu, Territory of Hawai
Amos Van Etten, Esquire, of Kingston,
of New York; William J. Dauford and
Oscar A. Trippet, Esquires, of Los Ange
State of California; and James J. Barb
Esquire, of Chicago, State of Illinois, be a
ted to practice as attorneys and

of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank L. Campbell, it is ordered that Webster Ballinger, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Guy E. Farquhar, it is ordered that John A. Van Arsdale, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that William J. Montgomery, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that Robert A. Thompson, Esquire, of Jackson, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Charles Henry Butler, i
that Theodore F. Horstman, Esquire,
cinnati, State of Ohio, be admitted t
us an attorney and counsellor of this
and he was sworn accordingly.

On motion first made to the Court
behalf by Wm. John M. Waldron it is
that John Maxcy Zane, Esquire, of C
State of Illinois, be admitted to practi
attorney and counsellor of this Court, a
was sworn accordingly.

On motion first made to the Court
behalf by Mr. George W. Allen it is or
that John W. Brady, Esquire, of Aus
of Texas, be admitted to practice as a
ney and counsellor of this Court, and
sworn accordingly.

On motion first made to the Court
behalf by Mr. J. W. Nichol, it is ordere
Thomas B. Jones, Esquire, of New Yor
be admitted to practice as an attorney
counsellor of this Court, and he was s
accordingly.

On motion first made to the Court
behalf by Mr. A. B. Browne, it is orde
that W. A. Kincaid, Esquire, of Ma
Philippine Islands, Company K, 1st

of San Francisco, State of California, and Charles H. Stapleton, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clyde C. Dawson, it is ordered that Horace N. Hawkins, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Chief Justice announced that all motions noticed for today would be heard tomorrow, and that the Court would then commence the call of the docket, pursuant to the twenty-sixth rule.

Proclamation being made, the Court is adjourned

Tuesday, October 13th, 19

(Pursuant to adjournment, the Cour
today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chi
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, M
James A. McKenney, C

Proclamation being made the Court

On motion first made to the Court
behalf by Mr. Hugh Gordon Miller
ordered that Maurice B. Dean, Esqu
New York City, be admitted to practice
attorney and counsellor of this Court
he was sworn accordingly.

On motion first made to the Court in
behalf by Wm. Frederic D. McKenney, i
ded that M. W. Acheson, Jr., Esquire
Pittsburg, State of Pennsylvania, be adm
practice as an attorney and counsellor
Court, and he was sworn accordingly

t met

f Justice

Associate
Justices.

Marshal,
Clerk.

is opened.

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On motion first made to the Court in this behalf by Mr. W. B. Matthews, it is ordered that Isaac Dunn, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Anderson it is ordered that Allen Caperton Braxton and John S. Eggleston, Esquires, of Richmond, State of Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oscar A. Trippet, it is ordered that Leslie R. Hewitt, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. B. Hallam it is ordered that J. Frank Staley, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

shut L. L. Morrill, Esquire, of Washing
District of Columbia, be admitted to
tice as an attorney and counsellor o
Court, and he was sworn accordingl

On motion first made to the Court in
behalf by Wm. John J. Shea, it is order
William James Byrne, Esquire, of Wi
State of Pennsylvania, and Clyde B.
Esquire, of Portland, State of Oregon, be
ted to practice as attorneys and couns
of this Court, and they were sworn acco

On motion first made to the Court in
behalf by Mr. A P. Thom, it is ordered
William B. McIlvaine, Esquire, of Peter
and Henry Taylor, Jr., Esquire, of Richmo
State of Virginia, be admitted to practi
attorneys and counsellors of this Court,
they were sworn accordingly.

On motion first made to the Court in
behalf by Mr. S. M. Rockslager, it is ord
that Chelsea J. Rockwood, Esquire, of M
apolis, State of Minnesota, be admitted to
tice as an attorney and counsellor of th
Court and he was sworn accordingly.

On motion first made to the Court in
behalf by Mr. W. Bourke Cockran, it is ord

City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. Floyd Hughes, it is ordered that Marcy L. Johns, Esquire, of Laurinburg, State of North Carlonia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. S. Worthington it is ordered that A. Leo Weil, Esquire, of Pittsburg, State of Pennsylvania, and Francis P. White, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. S. Worthington it is ordered that Francis A. Campbell, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

S. Original. The United States of America, Complainant. vs. J. F. Shipp et al. On motion of Mr. Solicitor General and of counsel for the complainant, it is ordered by the Court that the information herein be, and the same is hereby, dismissed as to the defendants Paul Pool, T. B. Taylor, William Beeler, John Jones, Marion Perkins, C. A. Baker, Claude Powell, Charles J. Powell, A. J. Cartwright, R. F. Cartwright, John Varnell, Joseph Clark, Fred Frawley, Paul or "Sheehie" Warner, Alfred Hammond, William Marquette and George Brown.

per Mr. Chief Justice Fuller

S. Original. The United States of America, Complainant, vs. J. F. Shipp et al. Mr. Solicitor General Hoyt, of counsel for the complainant, presented the reports of the Commissioner appointed to take additional testimony herein and submitted an oral motion as to the matter of his compensation.

S. Original. The United States of America, Complainant. vs. J. F. Shipp et al. On motion of Mr. Solicitor General Hoyt, of counsel for the complainant it is ordered that the ac

published and filed

571. The United States, Petitioner vs. Carl A. Chamberlin et al, Executors, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Solicitor General Hoyt in support of the same.

351 Green County, Kentucky, Petitioner vs. Mary Amis Duncan, Executrix &c., and 352 Green County, Kentucky, Petitioner vs. John Thomas' Executor, et al. Mr. Alfred P. Thom in behalf of counsel, submitted to the consideration of the Court a motion to advance these cases.

167. Theodore R. Converse, Receiver, etc., Plaintiff in Error, vs. John A. Stewart. Mr. William G. Wilson, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this case for hearing with cases Nos. 75 & 76.

Theodore R. Conover,
Receiver, etc.,
416 vs. Plaintiff in Error,
John A. Stewart.

The mo
misso or
this ca
submitte
consider
the Court on the record and printed
by Wm. E. W. Sheldon in support of the
Mr. William G. Wilson in opposition

Atlantic Trust & Deposit Co.,
542 vs. Petitioner.
The Town of Lawrenburg,
North Carolina.

The pete
writ of
was sub
the con
of the C
pricted arguments by Mr. Floyd Aug
support of the same, and Mr. James E.
and Mr. Marcy L. John in opposition

Louis Knop et al.,
449 vs. Appellants.
The Monongahela River
Consolidated Coal & Coke Co.

Mr. E.
McCal
counsel
appella
mitted
consideration of the Court a motion t
this cause.

In the matter of William
576 Buckley. Appellant.

Mr. Fred
Tyler, o
having
open court the following certificate, t

States, Ninth Judicial Circuit, Northern District of California.

United States of America,
Northern District of California,
City and County of San Francisco. } ss

I, Southard Hoffman, Clerk of the Circuit Court of the United States of America, of the Ninth Judicial Circuit, in and for the Northern District of California, do hereby certify that in a certain matter pending in said Circuit Court entitled 'In the Matter of the Application of William Buckley, for a writ of Habeas Corpus', an order was made and entered by said Circuit Court, on the 5th day of December, A.D. 1904, denying said application for a writ of habeas corpus, and that on said 5th day of December, A.D. 1904, an order was made and entered in said Circuit Court allowing an appeal to the Supreme Court of the United States.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this 2nd day of October, A.D. 1908.

Seal

Southard Hoffman,
Clerk U.S. Circuit Court,
Northern District of California."

and it appearing to the Court that the

filed and docketed in conformity w
rules of this Court. It is now here or
judged and decreed by this Court t
appeal from the Circuit Court of t
States for the Northern District of Ca
be, and the same is hereby, docketed
dismissed; and that this cause be, a
same is hereby remanded to the said
Court to be proceeded in according to
and justice.

Per Mr. Chief Jus

*

H. Franklin Schlegel, Committee etc., vs. The Union Stock Yard Bank of Buffalo, New York et al. Petitioner

464. The petitio
writ of cert
herein wa
ted to the
eration o
Court on
arguments by Mr. Guy E. Fargnhar in
of the same, and Mr. John A. Van Arsd
opposition thereto

Home Telephone and Telegraph Co., Appellant vs. The City of Los Angeles et al.

173 Mr. C
Tripp
sel for
submit
the consideration of the Court a motion
advance this cause for argument after
No. 182.

Tuesday, October 13th, 1908, continued.

Rainy Lake River Boom Corporation,
vs. Petitioners
Rainy River Lumber Company, Limited

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Samuel Herrick, Mr. Halvor Steenerson and Mr. Charles Loring in support of the same, and Mr. A. G. Merrill in opposition thereto.

W. A. Gaines & Co.,
vs. Petitioners,
Max Kahn, Administrator, etc., et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James L. Hopkins, Mr. John G. Carlisle and Mr. Daniel W. Lindsey in support of the same, and Mr. Warwick M. Hough and Mr. Jacob M. Kline in opposition thereto.

The People of the State of New York,
Complainant,
The State of New Jersey et al.

On motion of Mr. Maurice B. Dean, of counsel for the complainant

It is ordered by the Court that leave be, and the same is hereby granted to file a bill of complaint herein and that process issue thereon returnable

477. Diamond Rubber Co., of New York, Petitioner vs. Consolidated Rubber Tire Company et al.

The petition
writ of certi
herein was s
to the consid
of the Court
ed argument
Mr. Charles K. Offield in support o
same, and Mr. C. W. Stapleton, Mr.
Bakewell and Mr. F. P. Fish in opp
thereto.

517. Dr Miles Medical Co. vs. John D. Park & Sons Co. Petitioner

The petition
writ of certi
herein was
mitted to t
consideration of the Court by Mr. F
F. Reed in support of the same, and
motion it is ordered by the Court th
the mandate of the United States C
Court of Appeals for the Sixth Circuit
this case be stayed.

445. Herman Bilik, Appellant, vs. Christopher Strasheim, Sheriff, etc.

The motion
dismiss or a
in this cau
was submit
the consid
of the Court on the record and print
guments by Mr. James J. Barbour and
E. C. Lindley in support of the same, a

James J. Barbour, of counsel for the appellee, also submitted to the consideration of the Court a motion that the mandate in this cause issue at once if the appeal shall be dismissed.

541. James McCaulley &c., Petitioners, vs. American Dredging Co. et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John T. Lewis in support of the same, and Mr. E. T. Pugh and Mr. E. J. Dodge in opposition thereto.

509. Oceanic Steam Navigation Company, Limited, Plaintiff in Error, vs. Nevada N. Strawhan.

510. International Mercantile Marine Company, Plaintiff in Error, vs. Nevada N. Strawhan.

511. International Mercantile Marine Company, Plaintiff in Error, vs. Nevada N. Strawhan.

Mr. J. W. Nicol, in behalf of counsel for the plaintiffs in error, submitted, to the consideration of the Court a motion to advance these cases.

572. Mayer Zeiger, vs. Petitioners, Pennsylvania Railroad Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. A. Leo Weil and Mr. A. S. Worthington in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto within ten days.

573. Henry P. Scott et al., vs. Petitioners. Queen Annes Railroad Company et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Nicholas P. Bond and Mr. John G. Johnson in support of the same, and Mr. John C. Rose and Mr. Edward P. Keech, Jr., in opposition thereto.

37. Louisville and Nashville Railroad Company, vs. Appellant, Erasmus L. Mottley et ux. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Henry L. Stone, of counsel for the appellant, and Mr. Lewis McQuown, of counsel for the appellees.

Honolulu Rapid Transit and Land Company,
22 vs. Plaintiff in Error,
James L. Holt, Assessor,
Honolulu Rapid Transit and Land Company,
23 vs. Appellant.
James L. Holt, Assessor,
James L. Holt, Assessor &c.,
30 vs. Plaintiff in Error,
Inter Island Steam Navigation Company, Limited.

Mr. Charles R. Hemenway, of counsel, suggested the resignation of James L. Holt and the appointment of Charles J. Wilder as his successor in office as assessor and moved the Court to make the said Charles J. Wilder as such successor, a party in these cases, in place of the said James L. Holt. Whereupon, it is now here ordered by the Court that Charles J. Wilder, Assessor, be, and he is hereby, substituted for the said James L. Holt as a party in these cases.

Honolulu Rapid Transit and Land Company,
412. vs. Appellant,
The Territory of Hawaii by Charles R. Hemenway, Attorney General.

Mr. A. B. Browne, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

511 The Noble State Bank, Plaintiff in Error, vs. C. N. Haskell et al. Mr. A. B. Browne, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

518 Miller & Lux, Incorporated, Appellant vs. East Side Canal and Irrigation Company. On motion of Mr. A. B. Browne in behalf of counsel, it is ordered by the Court that this cause be, and the same is hereby, advanced, pursuant to the 32d rule.

518 Miller & Lux, Incorporated, Appellant vs. East Side Canal and Irrigation Company. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Edward J. Tuaillon, of counsel for the appellant, with leave to counsel for the appellee to file a brief herein within three weeks.

511 E. W. Simmons, Late Master, et al, Appellants vs. The Steamship Jefferson &c. Mr. Harrington Putnam, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause pursuant to the 32d rule.

491. Ex parte Albert D. Patrick, Complainant Appellant. On motion of Mr. Robert C. Taylor, it is ordered by the Court that leave be, and the same is hereby, granted him to file a brief herein in behalf of the State of New York.

5148 John W. Auchincloss et al., vs. Petitioners, Constantine v. Pickering Steamship Company, owner &c.

5149 John W. Auchincloss et al., vs. Petitioners, Constantine v. Pickering Steamship Company, owner &c.

5150 John W. Auchincloss et al., vs. Petitioners, W. McLean et al., owners &c.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. W. D. Montgomery and Mr. George H. Emerson in support of the same, and Mr. J. Parker Kirlin in opposition thereto

5555 Berry Brothers Limited vs. Petitioners, The Steamship "St. Quentin" &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. D. Montgomery and Mr. George H. Emerson in support of the same, and Mr. J. Parker Kirlin and Mr. John M. Woolsey,

1148. Lehigh Valley Railroad Co., Appellant.
vs.
Cornell Steamboat Co., Claimant.

Mr. W
gome
cou
the a

submitted to the consideration of the C
motion to advance this cause pursu
the 32d rule. The motion to dismiss
was submitted to the consideration
Court on a printed argument by Mr
Van Etten in support of the same and
was granted him to file a brief herei
merits, if such motion should be deni

6, Original. State of Missouri
vs.
Complainant,
State of Kansas

On motio
Mr. C. C. C
in behalf
leave is g

to file a stipulation to open and pu
the testimony taken herein, to print
record and as to the fixing a day fo
hearing of the case, the matter of fi
such day is hereby taken under advi

6, Original. State of Missouri
vs.
Complainant,
State of Kansas.

On mot
Mr. C. C.
in beha
counsel,

ordered by the Court that the testim
herein be opened, published and file

Charles F. Ainsworth and J. H. Beal, intervenors on behalf of Keystone Copper and Gold Mining Co.,
1 vs. Appellants.
John M. Evans and Jennie E. Evans, his wife.

Appeal from the Supreme Court of the Territory of Arizona.

It appearing to the Court that a motion by counsel for appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

American Felt Co.,
105. vs. Plaintiff in Error.
Garrett W. Scollard, Collector of Taxes of Boston, Mass

In Error to the Supreme Judicial Court of the State of Massachusetts.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of Error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

132. Michael Enders, Herman E. Zitkowski, et al., vs. John Friday as Mayor of the City of Norfolk, Nebraska, et al. — In Error to the Supr of the

It appearing to the Court that a m counsel for the plaintiffs in error to the writ of Error in this cause La Therefore, in pursuance of said mo now here ordered and adjudged Court that the writ of Error in thi and the same is hereby dismissed

per Mr. Chief Justice

140 J. P. Looney vs. State of Missouri — In Error to prune Cour State of M

It appearing to the Court that a m counsel for the plaintiff in error to d the writ of error in this cause Las t Therefore, in pursuance of said mo is now here ordered and adjudged t Court that the writ of Error in this c and the same is hereby dismissed

per Mr. Chief Justi

164. John F. Shorey, Plaintiff in Error vs. The State of Oregon. — In Error to the Supreme Court of the State of Oregon.

It appearing to the Court that a motion by counsel for plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

256. The First National Bank of Lexington, Plaintiff in Error, vs. S. W. Hager, Auditor of Public Accounts, et al, constituting the State Board of Valuation and Assessment. — In Error to the Court of Appeals of the State of Kentucky.

It appearing to the Court that a motion by counsel for plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

110. Georgia L. Everett,
vs. Plaintiff in Error.
Edward Everett

It is ordere
the Court
this cause
the same is
by, continued to the next term per stipul
of counsel.

151. The People of Porto Rico,
vs. Appellants.
The Roman Catholic
Apostolic Church in Porto Rico
166. The Roman Catholic
Apostolic Church in Porto Rico,
vs. Appellant,
The People of Porto Rico.

It is ordered b
Court that the
cases be, and
are hereby, con
to the next ter
per stipulation
counsel.

20[illegible] MacAndrews & Forbes Co.,
vs. Plaintiff in Error.
The United States.

In Error to the
cuit Court of t
United States f
the Southern Di
of New York.

It appearing to the Court that a motion b
counsel for the plaintiff in error to dismiss
writ of Error in this cause has been filed. Th
fore, in pursuance of said motion, it is now
here ordered and adjudged by this Court
the writ of error in this cause be, and the sa
is hereby, dismissed.

Per Mr. Chief Justice Fu

210 J. S. Young Co. vs. Plaintiff in Error, The United States. In Error to the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

288 The United States. vs. Plaintiff in Error, Charles N. Freeman et al.

289 The United States. vs. Plaintiff in Error, Edgar M. Biggs et al.

290 The United States. vs. Plaintiff in Error. Alexander J. Dallenberger et al.

The motion to reassign these cases for argument on Monday, December 14th next was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Bonaparte in support of the same, and Mr. Clyde C. Dawson in opposition thereto.

The New York Central and Hudson River Railroad Co.,
57 & 69. vs. Plaintiff in Error,
The United States.

The United States,
285 vs. Plaintiff in Error,
The New York Central and Hudson River Railroad Co.

On motion of Mr. Attorney General Bonaparte, it is ordered by the Court that these cases be, and they are hereby re-assigned for argument on Monday, December 14th next.

William Gordon Crawford,
92. vs. Petitioner,
The United States.

The argument of this case was commenced by Mr. A. S. Worthington, of counsel for the petitioner, and continued by Mr. Holmes Conrad and Mr. Attorney General Bonaparte, of counsel for the respondent.

* In the matter of
William Buckley,
576. Appellant.

On motion of Mr. Frederick S. Tyler, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 11th, 1905

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that J. F. Loughborough, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. A. Herbert, it is ordered that Richard F. Whiteley, Esquire, of Hyattsville, State of Maryland, be admitted to practice as an attorney and counsellor of this

S. Original. The United States of America, Complainant. vs. J. F. Shipp et al. It is now here ordered by the Court that Mr. James D. Maher, the Commissioner appointed by order of this Court, entered herein on May 18, 1908, to take and return additional testimony in this cause be, and he is hereby, allowed the sum of $200.00 in full for his compensation and expenses and that said sum be paid by the complainant herein.

per Mr. Chief Justice Fuller.

363 Al Williams vs. Plaintiff in Error, The State of Arkansas. Mr. J. F. Loughborough, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

92. William Gordon Crawford, vs. Petitioner, The United States. The argument of this cause was continued by Mr. Attorney General Bonaparte, of counsel for the respondent, and concluded by Mr. A. G. Worthington, of counsel for the petitioner.

198 Laurel Oil and Gas Co. Appellant. vs. Robert W. Morrison et al

This cause was argued by Mr. George A. Murphey, of counsel for the appellant, and Mr. William J. Breene and Mr. John J. Shea, of counsel for the appellees.

Proclamation being made, the Court is adjourned

Thursday, October 15th, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody. Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened:

On motion first made to the Court in this behalf by Mr. D. M. Stockslager it is ordered that Roscoe J. C. Dorsey, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Dudley, it is ordered that Stewart J. McConnell, Esquire, of Logansport, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

37. Louisville and Nashville Railroad Company, Appellant, vs. Erasmus L. Mottley et ux

On motion of Mr. Attorney General Bonaparte leave is hereby granted to file a brief herein on behalf of the Interstate Commerce Commission.

206. The People of the State of New York ex rel August Silz, Plaintiff in Error, vs. Henry Hasterberg, Sheriff etc.

The argument of this cause was commenced by Mr. John B. Coleman, of counsel for the plaintiff in error; continued by Mr. James A. Donnelly, of counsel for the defendant in error, and concluded by Mr. Edward R. Finch, of counsel for the plaintiff in error.

248 James R. Garfield, Secretary of the Interior, Plaintiff in Error, vs. The United States ex rel. John E. Goldsby.

249 James R. Garfield, Secretary of the Interior, Plaintiff in Error, vs. The United States ex rel. Ida A. Allison.

250 James R. Garfield, Secretary of the Interior, Plaintiff in Error, vs. The United States ex rel. George A. Allison.

The argument of these cases was commenced

of counsel for the plaintiff in error, and continued by Wm. Charles A. Merillat, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned until tomorrow at ten o'clock A.M.

Friday, October 16th, 1903.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Esquire, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Victor H. Wallace, it is ordered that W. S. Whittinghill, Esquire, of Enid, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leslie R. Hewitt, it is ordered that Joseph L. Murphey, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Anderson, it is ordered that William A. White, Jr., Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

288 The United States, Plaintiff in Error, vs. Charles A. Freeman et al.

289 The United States, Plaintiff in Error, vs. Edgar M. Biggs et al.

290 The United States, Plaintiff in Error, vs. Alexander J. Dullenberger et al.

On consideration of the motion to re-assign these cases for argument, it is now here ordered by the Court that said cases be, and the same are hereby, re-assigned for argument on Monday, December 14th inst.

per Mr. Chief Justice Fuller.

313 John F. Calder, David A. Crow, John E. More, Thomas H. Keogh and Willard Kuigsley, Plaintiffs in Error, vs. The People of the State of Michigan, by the Attorney General at the relation of George E. Ellis, Moses Taggart and Samuel A. Treshcay.

On motion of Mr. Willard Kuigsley of counsel for the plaintiffs in error, it is now here ordered by the Court that the defendants in error herein and each of them

tives by, and they are hereby enjoined from in any manner interfering with the plaintiffs in error as to the matters in controversy in this cause pending the submission of a motion for a writ of supersedeas herein.

Per Mr. Chief Justice Fuller.

James R. Garfield, Secretary of the Interior,
248 vs. Plaintiff in Error,
The United States ex rel. John E. Goldsby

James R. Garfield, Secretary of the Interior,
249 vs Plaintiff in Error,
The United States ex rel. Ida Allison

James R. Garfield, Secretary of the Interior,
250 vs Plaintiff in Error,
The United States ex rel. George A. Allison

The argument of these cases was continued by Mr. Charles H. Merillat, of counsel for the defendants in error, and concluded by Mr. Attorney General Bonaparte, of counsel for the plaintiff in error.

	Robert R. Prentis et al.,	On motion of Mr. William A. Anderson, of counsel for the appellants, leave is hereby granted three counsel to argue these cases for the appellants, and one hour additional time allowed each side for the argument. The argument of these cases was commenced by Mr. William A. Anderson, of counsel for the appellants, and continued by Mr. John W. Daniel, of counsel for the appellants.
270.	vs. Appellants,	
	Atlantic Coast Line Railroad Co.	
	Robert R. Prentis et al.,	
271.	vs Appellants	
	The Chesapeake & Ohio Railway Co.	
	Robert R. Prentis et al.,	
272.	vs. Appellants.	
	Chesapeake Western Railway	
	Robert R. Prentis et al.,	
273	vs. Appellants	
	Louisville & Nashville Railroad Co.	
	Robert R. Prentis et al.,	
274	vs. Appellants.	
	Norfolk & Western Railway Co.	
	Robert R. Prentis et al.,	
275.	vs. Appellants,	
	Southern Railway Co.	

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Monday, October 19th, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Associate Justices

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that Addie Frances Hayden, of Boston, State of Massachusetts; Jay Newton Baker, Esquire, of Washington, District of Columbia; and Eugene A. Long, Esquire, of Pueblo, State of Colorado, be admitted to practice as attorneys and counsellors of this Court, and they were severally accordingly.

On motion first made to the Court in this behalf by Mr. Robert V. Davidson, it is ordered that James D. Walthall, Esquire, of San Antonio; Hirdus Glass, Esquire, of Texarkana, and

Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred P. Thom, it is ordered that Hunt Chipley and Robert Voss Marye, Esqrs., of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Lucinda Brandon, personally and as Administratrix of the estate of Alexander Brandon, deceased et al, Plaintiffs in Error, vs. Newton L. Ard — In Error to the Supreme Court of the State of Kansas.

24

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

(Mr Justice Brewer took no part in the decision of this case.)

Herman Frasch.
11. vs Appellant & Plaintiff in Error. Appeal from and in Error to the Court of Appeals of the District
Edward B Moore, Commissioner of Patents

of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal and the writ of error in this cause be, and the same are hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and
Mr. Justice McKenna.
(Mr. Justice Moody did not sit.)

Herman Frasch.
14. vs Petitioner. On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia,
Edward B. Moore,
Commissioner of Patents.

It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

Henry Clay Pierce, Appellant, vs. Edmund P. Creecy, Chief of Police of the City of St. Louis. 35 of 1907. It is now here ordered by the Court that the application for leave to file a petition for rehearing herein be, and the same is hereby, denied, and that the mandate issue in due course.

per Mr. Chief Justice Fuller.

Home Telephone & Telegraph Co., Appellant, vs. The City of Los Angeles et al. 173. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument after case No. 182.

per Mr. Chief Justice Fuller.

Green County, Kentucky, Petitioner, vs. Mary Amis Quinlan Executrix &c., 351. Green County, Kentucky, Petitioner, vs. John Thomas' Executor, et al. 352. On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument on Monday, December 14th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller

362. The United States, Petitioner, vs. John W. Dickinson / On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, November 2d. next.

per Mr. Chief Justice Fuller.

394. The United States, Petitioner vs. Charles R. Evans et al. / On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument with case No. 362.

per Mr. Chief Justice Fuller.

112. Honolulu Rapid Transit & Land Company, Appellant, vs. The Territory of Hawaii &c. / On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, November 2d, next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Louis Knop and Joseph Rock, Administrators, &c.,
449. vs. Appellants,
The Monongahela River Consolidated Coal & Coke Co.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, December 14th, next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Oceanic Steam Navigation Company, Limited,
509. vs. Plaintiff in Error.
Nevada N. Strawhan.

International Mercantile Marine Co.,
510. vs. Plaintiff in Error,
Nevada N. Strawhan.

International Mercantile Marine Co.,
511. vs. Plaintiff in Error,
Nevada N. Strawhan.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument as one case on Monday, December 14th, next, after the cases heretofore assigned for that date.

per Mr. Chief Justice Fuller.

E. W. Simmons, Late Master, &c., et al., Appellants,
vs.
The Steamship "Jefferson" &c.

On consideration of the motion to advance this cause pursuant to the 32d rule,

It is now here ordered by the Court that said motion be, and the same is hereby, granted, the cause to be submitted on printed briefs.

per Mr. Chief Justice Fuller.

The Citizens Central National Bank of New York,
vs. Plaintiff in Error,
R. Ross Appleton, Receiver &c.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Al Williams,
vs. Plaintiff in Error,
The State of Arkansas.

On consideration of of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

1103. Robert A. Graham, Petitioner vs. The Oregon Railroad & Navigation Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr Chief Justice Fuller

1104. Charles Greiug, Petitioner, vs. Chesapeake & Delaware Canal Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

Monday, October 19th, 1908, continued.

	Southern Railway Company	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit
411.	vs. Petitioner.	
	Lemon Townsend	

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

	Richard B. Shepard,	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit
414.	vs. Petitioner.	
	The United States	

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

	Eric P. Swenson and Swen A. Swenson,	On petition for writ of certiorari to the United
41	vs. Petitioners,	States Circuit Court of Ap-
	John W. Cunningham et al.	peals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

	Walter A. Scott, P. Martin and Victor Gauss,	On petition for writ of certiorari to the United
41	vs. Petitioners,	States Circuit Court of
	Augustus L. Abbott, Trustee of Tennent Shoe Co., Bankrupt.	Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

418. The United States, Petitioner, vs. Isaac Stephenson et al, as Executors and Trustees, &c. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

419. George F. Dunbar et al., Petitioners vs. David H. Cascaden — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1120. Alabama National Bank of Birmingham et al., Petitioners vs. Massasoit-Pocasset National Bank of Fall River, Mass. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1155. W. A. Gaines & Co., Petitioner, vs. Max Kahn, Administrator of the estate of Abraham Hellman and Moritz Hellman, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

H. Franklin Schlegel, Committee of Frank J. Kebler, a Lunatic, vs. Petitioner, The Union Stock Yards Bank of Buffalo, N. Y. et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

461

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

James McCaulley, Managing Owner of the Tug "James McCaulley," vs. Petitioner, American Dredging Co. et al — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

541

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the

same is hereby, denied.

per Mr. Chief Justice Fuller.

542 Atlantic Trust & Deposit Co., Petitioner vs. The Town of Laurinburg, North Carolina. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

548 John W. Auchincloss and Hugh D. Auchincloss, Petitioners vs. Constantine Pickering Steamship Co., owner of the Steamship "Queenswood." On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that

said petition be, and the same is hereby denied.
per Mr. Chief Justice Fuller.

John W. Auchincloss and Hugh D. Auchincloss, v. Constantine Pickering Steamship Co., owner of the Steamship "Homewood." — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

544

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the court that said petition be, and the same is hereby, denied.
per Mr. Chief Justice Fuller.

John W. Auchincloss and Hugh D. Auchincloss, v. W. McLean et al., doing business as W. McLean & Co., owners of the Steamship "Moneka." — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

550

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had,

as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

555. Berry Brothers, Limited. vs. The Steamship "St. Quentin," Charles P. Sumner & Co., Claimants. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

556. Henry P. Scott, Nicholas P. Bond et al., vs. Queen Annes Railroad Co., A. S. Abell Company et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had,

It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

557. Rainy Lake River Boom Corporation, vs. Rainy River Lumber Company, Limited. Petitioner, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

177. Diamond Rubber Co., of New York, vs. Consolidated Rubber Tire Co., and Rubber Tire Wheel Company. Petitioner, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had,

It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

547. Dr Miles Medical Co., Petitioner, vs. John D. Park & Sons Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

548. The United States, Petitioner, vs. Carl A. Chamberlin, D.A. Ricci et al., Executors &c. On petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

1448. Lehigh Valley Railroad Co., Appellant, vs. Cornell Steamboat Company, Claimant, etc. On consideration of the motion to advance this cause pursuant to the 32. Rule, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1448 Lehigh Valley Railroad Co., Appellant, vs. Cornell Steamboat Co. Claimant etc. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

146. Theodore N. Converse, Receiver &c., Plaintiff in Error, vs. John A. Stewart. On consideration of the motion to advance this cause for argument with cases Nos. 75 and 76, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

467. Theodore R. Converse, Receiver &c., Plaintiff in Error, vs. John A. Stewart. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

445. Herman Bilik, Appellant, vs. Christopher Strassheim, Sheriff of Cook County, Illinois. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

445 Herman Bilik, Appellant, vs. Christopher Strassheim, Sheriff of Cook County, Illinois. It is ordered by the Court that the mandate in this case be issued at once.

per Mr. Chief Justice Fuller.

559 The United States of America, ex rel The Attorney General of the United States, Plaintiff in Error, vs. The Delaware & Hudson Co. Nos. 360, 361, 362, 363 and 364. Same Plaintiff in Error, vs. Various Railroad Companies. The United States of America, Appellant, vs. The Delaware & Hudson Co., Nos. 366, 367, 368, 369 and 370, Same Appellant, vs. Various Railroad Companies. Mr. Attorney General Bonaparte submitted to the consideration of the Court a motion to advance these cases.

528 P. M. Childers, Appellant, vs. A. W. McClaughry, Warden, &c. Mr. John J. Humphrey, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Monday, October 19th, 1908, continued.

361. William Nolley et al., vs. Plaintiffs in Error, Cecil Brown et al. — Mr. W. C. Sullivan in behalf of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to amend the writ of error in this cause.

370. The St. Louis Southwestern Railway Co. of Texas, vs. Plaintiff in Error, The City of Tyler, Texas, et al. — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James M. Edwards, Mr. Horace Chilton, Mr. Cone Johnson and Mr. Ben B. Cain in support of the same, and Mr. E. B. Perkins and Mr. N. W. Finley in opposition thereto.

245. C. M. Pendleton, vs. Plaintiff in Error, The United States — Mr. W. B. Burnett, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to prosecute this case in formal pauperis.

335. J. E. Fleming et al., vs. Appellants, Owen McCurtain et al. — Mr. Webster Ballinger, of counsel for the appellants, submitted to the consideration

17 The Mayor &c., of the City of Knoxville, Appellant
vs.
The Knoxville Water Co

On motion of Mr. W. L. Granbery in behalf of counsel, leave is hereby granted counsel for both sides to file additional briefs herein.

336 George T. Albright, Appellant
vs.
Jesus Maria Sandoval

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Neil B. Field in support of the same, and Mr. Edward L. Medler in opposition thereto.

438 The Louisville & Nashville Railroad Company, Plaintiff in Error
vs.
Spencer Mellen

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the records and printed arguments by Mr. J. T. Clay and Mr. James M. Clay in support of the same, and Mr. Benjamin D. Warfield and Mr. Henry L. Stone in opposition thereto.

270.	Robert R. Prentis et al., vs. Appellants. Atlantic Coast Line Railroad Co.	The argument of these cases was continued by Mr. John W. Daniel, of counsel for the appellants, Mr. Alfred P. Thom, of counsel for the appellees, and Mr. A. C. Braxton, of Counsel for the appellants.
271.	Robert R. Prentis et al., vs. Appellants, Chesapeake & Ohio Railway Co.	
272.	Robert R. Prentis et al vs. Appellants, Chesapeake Western Railway	
273.	Robert R. Prentis et al., vs. Appellants, Louisville & Nashville Railroad Co.	
274.	Robert R. Prentis et al, vs. Appellants, Norfolk & Western Railway Co.	
275.	Robert R. Prentis et al., vs. Appellants, Southern Railway Co.	

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry L. Stone it is ordered that William T. Jeter, Esquire, of Santa Cruz, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Penfield, it is ordered that Frank S. Blattner, Esquire, of Tacoma, State of Washington, and Walter Scott Penfield, Esquire, of Auburn, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were

5111. The Noble State Bank, vs. Plaintiff in Error, C. N. Haskell et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

270. Robert R. Prentis et al., vs. Appellants. Atlantic Coast Line Railroad Co.

271. Robert R. Prentis et al., vs. Appellants. Chesapeake and Ohio Railway Co.

272. Robert R. Prentis et al., vs. Appellants. Chesapeake Western Railway.

273. Robert R. Prentis et al., vs. Appellants. Louisville and Nashville Railroad Co.

274 Robert R. Prentis et al., vs. Appellants. Norfolk and Western Railway Co.

275. Robert R. Prentis et al., vs. Appellants

The argument of these cases was concluded by Mr. A. C. Braxton, of counsel for the appellants.

182. Railroad Commission of Louisiana. vs. Cumberland Telephone & Telegraph Company. Appellant.

The argument of this cause was commenced by Mr. E. Howard McCaleb, Jr., of counsel for the appellant, and continued by Mr. N. L. Graubery, of counsel for the appellee; and Mr. E. Howard McCaleb, Jr., of counsel for the appellant.

Proclamation being made, the Court is adjourned

Wednesday, October 21st, 1908.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody.
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

182. The Railroad Commission of Louisiana, Appellant, vs. Cumberland Telephone & Telegraph Co.

The argument of this cause was concluded by Mr. E. Howard McCaleb, Jr., of counsel for the appellant.

173. Home Telephone and Telegraph Co., Appellant, vs. City of Los Angeles et al.

This cause was argued by Mr. Oscar R. Trippet of counsel for the appellant, and Mr. Leslie R. Hewitt, of counsel for the appellee.

238 The Chicago & Alton Railway Co., vs. Petitioners,
The United States.

239 John N. Faithorn, vs. Petitioner
The United States.

240 Fred A. Wann, vs. Petitioner
The United States.

The argument of these cases was commenced by Mr. Blackburn Esterline, of counsel for the petitioners, and continued by Mr. Solicitor General Hoyt and Mr. Attorney General Bonaparte, of counsel for the respondent.

Proclamation being made, the Court is adjourned

Thursday, October 22d, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes
William R. Day.
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. C. F. Consaul, it is ordered that George Fridley Pollock, Esquire, of Boyds, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

L. L. McCandless,
Plaintiff in Error,
vs.
James W. Pratt, Commissioner &c

On motion of Mr. Charles R. Hemenway, of counsel for the defendant in error,

It is ordered by the Court that this cause be, and the same is hereby, advanced for argument after

Hunter M. Merriwether &c
Hunter M. Merriwether,
Trustee,
18. vs. Plaintiffs in Error,
Annie B. Wood, Jessie McAlpine,
McIntyre Attebourg et al

In Error to the Supreme Court of the State of Kansas.

It appearing to the court that a motion by counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

Charles T. Wilder, Tax
Assessor &c.,
30. vs. Plaintiff in Error,
Inter-Island Steam
Navigation Co., Limited

This cause was submitted to the consideration of the court on the record and printed arguments by Mr. Charles R. Hemenway and Mr. M. T. Prosser, of counsel for the plaintiff in error, and Mr. H. Lewis, Jr., of counsel for the defendant in error.

238	The Chicago & Alton Railway Co., vs. Petitioner. The United States.	The argument of these cases was continued by Mr. Attorney General Bonaparte, of counsel for the respondent, and concluded by Mr. Ralph M. Shaw, of counsel for the petitioners.
239	John N. Faithorn vs. Petitioner The United States	
240	Fred A. Wann. vs. Petitioner The United States	
286	The United States. vs. Plaintiff in Error. F. W. Reitel et al.	The argument of these cases was commenced by Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, and continued by Mr. Edwin A. Park, of counsel for the defendant in error in No. 286.
287	The United States, vs. Plaintiff in Error. Robert Forrester et al.	
291	The United States, vs. Plaintiff in Error. Charles E. Herr et al	
292	The United States, vs. Plaintiff in Error, Charles E. Herr.	

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Bonaparte, it is ordered that Peyton Gordon, Esquire, of Gaithersburg, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Samuel B. Huston, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of

362. The United States, Petitioner, vs. John W. Dickinson

On motion of Mr. Solicitor General Hoyt of counsel for the petitioner, It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Monday, December 14th, next, after the cases heretofore assigned for that day.

364. The United States, Petitioner, vs. Charles R. Evans et al

109. L. L. McCandless, Plaintiff in Error, vs. James W. Pratt, Commissioner &c

On motion of Mr A. B. Browne, of counsel for the plaintiff in error, It is ordered by the Court that this case be, and the same is hereby, reassigned for argument on Monday, November 2d. next. after case No. 412.

286 The United States, Plaintiff in Error, vs. F. W. Keiler et al.
287 The United States, Plaintiff in Error, vs. Robert Forrester et al.
291 The United States, Plaintiff in Error, vs. Charles E. Kerr et al.
292 The United States, Plaintiff in Error, vs. Charles E. Kerr.

The argument of these cases was continued by Mr. F. N. Judson, of counsel for the defendants in error in No. 286; Mr. John M. Waldron, of counsel for the defendants in error in No. 287; Mr. B. W. Rider, of counsel for the defendants in error in No. 291, and Mr Solicitor General Hoyt of counsel for the plaintiff in error.

Monday, October 26th, 1903

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that Edward M. Ballard and Geoffrey Goldsmith, Esquires, of Cincinnati, State of Ohio; William A. Davenport, Esquire, of Greenfield and Arthur P. Fiske, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. A. Moseley, it is ordered that

State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles R. Hemenway, it is ordered that Henry E. Cooper, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B Browne, it is ordered that Oliver B. Carter, Esquire, of Los Angeles, State of California, and Langdon Moore, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

393. Frederick M. Stiles et al vs. The Fidelity & Deposit Company of Maryland, Appellants, William Culver, Thomas J. Cavanaugh et al. } Appeal from the Circuit Court of the United States for the Western District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and on a motion to dismiss or affirm

tion whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Holmes

159 The St. Louis Southwestern Railway Co. vs. Plaintiff in Error, The City of Tyler, Texas, Johanna Tabet, W. H. Cousins and Sue E. Cousins

In Error to the Supreme Court of the State of Texas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

6, Original. State of Missouri, Complainant, vs. State of Kansas.

On consideration of the motion to fix a day for the hearing of this cause, It is now here ordered by the Court that the cause be, and the same is hereby, assigned for argument on Tuesday, February 23d, 1909.

215 C. M. Pendleton, Plaintiff in Error, vs. The United States. On consideration of the motion for leave to prosecute this cause in forma pauperis, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

328 P. M. Childers, Appellant, vs. R. W. McLaughry, Warden &c. On consideration of the motion to advance this cause for oral argument. It is now here ordered by the Court that said motion be, and the same is hereby, denied, but the cause may be submitted on printed briefs if counsel shall be so advised.

per Mr. Chief Justice Fuller.

336 George F. Albright, Appellant, vs. Jesus Maria Sandoval &c. It is ordered by the Court that the further consideration of the motion to dismiss in this cause, and the motion to consolidate this cause with causes Nos. 334 and 335 be, and the same is hereby, postponed to the hearing on the merits. It is further ordered that cases Nos. 334 and 335 be postponed to be heard with case No. 336.

per Mr. Chief Justice Fuller.

361. William Nottingetal, vs. Plaintiffs in Error. Cecil Brownetal. It is ordered by the Court that the further consideration of the motion to dismiss the writ of error herein be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

1135 The Louisville & Nashville Railroad Company, vs. Plaintiff in Error. Spencer Mellon. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

1135 J. E. Fleming et al., vs. Appellants. Unen McCurtain et al. On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

559 The United States of America ex. rel. The Attorney General of the United States, Plaintiff in Error, vs. The Delaware & Hudson Co., and Nos. 560, 561, 562, 563 & 564 Same Plaintiff in Error vs. Various Railroad Companies

565 The United States, Appellant, vs. The Delaware & Hudson Co., and Nos. — 566, 567, 568, 569 & 570 Same Appellant vs. Various Railroad Companies.

On con... their op... motion ... vance ... causes ... now he... dered ... court ... paid m... be, and ... same ... granted ... the cau... signed ... gument ... case on ... January ... per Mr. Chief Justice ...

572. Mayer Zeiger, Petitioner, vs. Pennsylvania Railroad Co.

On petition for ... certiorari to the ... States Circuit ... of Appeals for t...

Third Circuit:

On consideration of the petition for a w... certiorari herein to the United States Cir... Court of Appeals for the Third Circuit, an... the argument of counsel thereupon had, as... in support of us against the same, It is n... here ordered by the Court that said petiti...

584. George D. Bryan, Collector &c., vs. Petitioner. Rosana A. Ker, Executrix &c. The petition for a writ of certiorari herein was submitted to the consideration of the court by Mr. Solicitor General Hoyt in support of the same, and Mr. J. K. Kennedy Bryan and Mr. M. C. Butler in opposition thereto.

585. Joaquin Celis, vs. Plaintiff in Error, The United States. Mr. Solicitor General Hoyt, of counsel for the defendant in error, having filed in open court the following certificate, to wit:

"(5363)

The United States of America.
Supreme Court of the Philippine Islands.

I, J. E. Blanco, clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in said Court, wherein Joaquin Celis was appellant, and The United States was appellee, a final judgment was rendered by said Supreme Court on the thirtieth day of August, A. D. 1907, in favor of the said The United States, and against the said Joaquin Celis, and that on the fifteenth day of April, A. D. 1908, the said Joaquin Celis sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

subscribe my name a
fix the seal of said C
Court, at Manila, P. I
eighth day of May, A.
J. E. Blanco,
Clerk of the Supreme C
the Philippine Islan

and it appearing to the Court that the
tiff in error has failed to have his cause
and docketed in conformity with the rul
this Court, It is now here ordered and
by this Court that the writ of error in this
to the Supreme Court of the Philippine Is
be, and the same is hereby, docketed an
missed; and that this cause be, and it
is hereby, remanded to the said Supreme
Court to be proceeded in according to la
justice.

Per Mr. Chief Justice

Joaquin Delgado.
386 vs. Plaintiff in Error.
The United States.

Mr Solicitor Ge
Hoyt, of counsel
the defendant
error, having fil

open court the following certificate, to-wit:

"(362)

The United States of America.
The Supreme Court of the Philippine Islands.
I, J. E. Blanco, Clerk of the Supreme C
of the Philippine Islands, do hereby certify

wherein Joaquin Celis was appellant, and the United States was appellee, a final judgment was rendered by said Supreme Court on the third day of September, A.D. 1908, in favor of the said The United States, and against the said Joaquin Celis, and that on the fifteenth day of April, A.D. 1908, the said Joaquin Celis sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name, and affix the seal of said Supreme Court, at Manila, P. I., this Eighth day of May, A.D. 1908

Seal.

J. E. Blanes,
Clerk of the Supreme Court of the Philippine Islands."

and it appearing to the court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands, be, and the same is hereby docketed and dismissed; and this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Monday, October 26th, 1908, cont

587. Joaquin Celis. vs. The United States.

Plaintiff in Error,

Mr. Solicitor G
Hoyt, of counse
the defendan
error, having f

in open court the following certificate, t

"(36 2.5.)

"The United States of America.

"The Supreme Court of the Philippine Islan

"I, J. E. Blanco, Clerk of the Supreme Cou
the Philippine Islands, do hereby certify
in a certain cause pending in said Court
in Joaquin Celis was appellant, and t
United States was appellee, a final jud
was rendered by said Supreme Court o
thirty-first day of August, A. D. 1907, in f
of the said The United States, and against
said Joaquin Celis, and that on the fifte
day of April, A. D. 1908, the said Joaquin C
sued out a writ of error to said Supreme C
directed to remove said cause to the Supr
Court of the United States.

"In testimony whereof
hereunto subscribe my
and affix the seal of s
Supreme Court, at Ma
P. I. this eighth day of
A. D. 1908.

Seal

J. E. Blanco,
Clerk of the Supreme Cou
the Philippine Islands.

tiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be, and the same is hereby, dockted and dismissed; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

Joaquin Delis, Plaintiff in Error, vs. The United States. 388

Mr. Solicitor General Hoyt, of counsel for the defendant in error having filed in open court the following certificate, to wit:

"(3626)

The United States of America,
The Supreme Court of the Philippine Islands.

I, J. E. Blanco, Clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in said Court, wherein Joaquin Delis was appellant, and The United States was appellee, a final judgment was rendered by said Supreme Court on the third day of September A. D. 1908, in favor of the said The United States, and against the said Joaquin Delis, and that on the fifteenth day of April, A. D. 1908 the said Joaquin Delis sued out a writ of error to said Supreme Court; di

Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court, at Manila, P. I., this Eighth day of May, A. D. 1908.

(Seal)

J. E. Blanco,
Clerk of the Supreme Court of the Philippine Islands."

and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

389 Joaquin Celis, Plaintiff in Error, vs. The United States.

Mr. Solicitor General Hoyt, of counsel for the defendant in error, having filed in open court the following certificate, to wit:

(3627)

The United States of America,

"I, J. E. Blanco, Clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in said Court, wherein Joaquin Celis was appellant, and The United States was appellee, a final judgment was rendered by said Supreme Court on the thirtieth day of August, A. D. 1907, in favor of the said The United States, and against the said Joaquin Celis, and that on the fifteenth day of April, A. D. 1908, the said Joaquin Celis sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court, at Manila, P. I., this Eighth day of May, A. D. 1908.

Seal.

J. E. Blanco.
Clerk of the Supreme Court of the Philippine Islands."

and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be, and the same is hereby, docketed and dismissed; and

remanded to the said Supreme Court to be
ceeded in according to law and justice.
Per Mr. Chief Justice Fu

529 The United States et al., Appellants, vs. John J. Hemphill et al. The motion to
or affirm in the
cause was subm
to the consideration
of the Court on the record and printed arg
ments by Mr. John J. Hemphill in support
the same, and Mr. Assistant Attorney Gene
John D. Thompson, Mr. George M. Anders
and Mr. William H. Hastings in opposition

532 Oscar W. Reid, Plaintiff in Error, vs. The United States. Mr. Melville Ch
in behalf of com
for the plaintiff
error, submitted
the consideration of the Court a motion to
vance this cause.

401 The Phoenix Construction Co., Appellant, vs. The Steamer "Poughkeepsie" &c et al. On motion
Mr. E. Crosb
Kindleberge
counsel for
the appellant, It is ordered by the Court tha
this cause be, and the same is hereby, advanc
pursuant to the 32d rule.

401. The Thomas Construction Co., Appellant, vs. The Steamer Poughkeepsie &c. et al. This case was submitted to the consideration of the Court on the record and printed argument by Mr. Ellsworth Kindleberger, of counsel for the appellant, and leave was granted counsel for the appellees to file a printed brief herein within two weeks.

512. Winnisimmet Co., Petitioner, vs. Mary L. Davenport et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Arthur P. Sule and Mr. Edward E. Blodgett in support of the same, and Mr. William A. Davenport in opposition thereto.

546. George Westinghouse et al., Petitioners, vs. Philip Kein et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Thomas W. Barkwell, Mr. J. Snowden Bell and Mr. Charles P. Abbey in support of the same, and Mr. L. S. Bacon and Mr. Walter H. Chamberlin in opposition thereto.

Monday, October 26th, 1908, co

536. L. Y. Johnston, Petitioner. vs. A. D. Lexton et al. The petition for a of certiorari here submitted to the sideration of the on printed arguments by Wm. Edward Kramer in support of the same, and Charles P. Wise in opposition thereto.

537. Willard N. Jones, et al., Petitioners. vs. The United States. The petition writ of certi herein was mitted to th sideration of the Court on printed arg by Mr. Samuel B. Huston and Mr. Ma L. Pipes in support of the same, and M torney General Bonaparte and Mr. Solic General Hoyt in opposition thereto.

447. Clinton J. Hutchins, Trustee, Appellant, vs. William W. Bierce, Limited. On motion o A. B. Browne counsel for t appellant; O ordered by the Court that this cause be, the same is hereby, assigned for argume on Monday, November 2d next, after th cases heretofore assigned for that day.

Charles A. Nevis, Executor &c.,
541. vs. Plaintiff in Error.
Cleveland, Cincinnati, Chicago and St. Louis Railway Co.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Frank L. Littleton in support of the same, and Mr. Elbert A. Hubbard in opposition thereto.

The United States,
286. vs. Plaintiff in Error.
F. W. Keitel et al.
The United States,
287. vs. Plaintiff in Error.
Robert Forrester et al.
The United States,
291 vs. Plaintiff in Error.
Charles E. Kerr et al.
The United States,
292. vs. Plaintiff in Error.
Charles E. Kerr.

The argument of these cases was continued by Solicitor General and Mr. Attorney General Bonaparte, of counsel for the plaintiff in error, and Mr. N. C. Miller, of counsel for the defendant in error in No. 292, and concluded by Mr. Attorney General Bonaparte, of counsel for the plaintiff in error. Leave was granted counsel for the plaintiff in error to file an additional brief herein within three days, and to counsel for the defendants in error to reply thereto, if so advised.

167. The People of the State of New York ex rel. Abraham Kopel, vs. Plaintiff in Error. Theodore A. Bingham, Police Commissioner &c.

This cause was argued by Mr. Alfred R. Page, of counsel for the plaintiff in error, and Mr. Robert C. Taylor, of counsel for the defendant in error.

13. Thomas A. Pickford et al., vs. Plaintiffs in Error. Henry M. Talbott.

The argument of this cause was commenced by Mr. Henry E. Davis, of counsel for the plaintiffs in error, and continued by Mr. Andrew Lipscomb of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at ten o'clock.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

13. Thomas H. Pickford et al., vs. Henry M. Talbot, Plaintiffs in Error. The argument of this cause was continued by Mr. Andrew Lipscomb and Mr. John Ridout, of counsel for the defendant in error, and concluded by Mr. Henry E. Davis, of counsel for the plaintiffs in error.

7. E. J. Colton et al., vs. The Territory of Hawaii &c., Plaintiffs in Error. This cause was argued by Mr. Charles A. Kreigwen, of counsel for the plaintiffs in error, and Mr. Charles K. Hemenway, of counsel for the defendant in

State of Louisiana,
ex rel. Caspari, vs. Complainant.
James R. Garfield,
Secretary of the Interior
et al.

The argument on the demurrer herein was commenced by Mr. Solicitor General Hoyt, of counsel for the defendants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 28th, 1908.

Pursuant to adjournment, the Court met to-day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that George E. Miller, Esquire, of Fort Worth, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar H. Gans it is ordered that Charles Marshall, Jr., Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

State of Louisiana.) Original. vs. Complainant.
James R. Garfield, Secretary of the Interior et al.

The argument on the demurrer herein was continued by Mr. Solicitor General Hoyt, of counsel for the defendants, and Mr. George A. Lamar and Mr. Harvey M. Friend of counsel for the complainant, and concluded by Mr. Attorney General Bonaparte, of counsel for the defendants.

22 Honolulu Rapid Transit & Land Co. vs. Plaintiff in Error,
Charles T. Wilder, Assessor
23 Honolulu Rapid Transit & Land Co. vs. Appellant,
Charles T. Wilder, Assessor.

The argument of these cases was commenced by Mr. David L. Withington, of counsel for the plaintiff in error and appellant.

Proclamation being made, the Court is adjourned until tomorrow at ten o'clock.

Thursday, October 29th. 1903.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John W. Yerkes, it is ordered, that Joseph G. Dudley, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. F. S. Perry, it is ordered that Morris Hirschman, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	Honolulu Rapid Transit & Land Co.	The argument of the cases was continued by Mr. David L. Withington of counsel for the plaintiff in error and appellant and Mr. Charles R. Hemenway, of counsel for the defendant in error and appellee, and concluded by Mr. A. B. Browne, of counsel for the plaintiff in error and appellant.
22	vs. Plaintiff in Error	
	Charles T. Wilder, Assessor.	
	Honolulu Rapid Transit & Land Co.,	
23	vs. Appellant.	
	Charles T. Wilder, Assessor.	

	Morita Keizo.	The argument of this cause was commenced by Mr. Duane E. Fox, of counsel for the plaintiff in error; continued by Mr. Charles R. Hemenway, of counsel for the defendant in error, and concluded by Mr. Arthur A. Browne, of counsel for the plaintiff in error.
21	vs. Plaintiff in Error,	
	William Henry, High Sheriff, &c.	

	Hannah Fitchie et al.,	The argument of this cause was commenced by Mr. A. B. Browne, of counsel for appellants.
14	vs. Appellants.	
	Cecil Brown et al., Executors &c.	

Proclamation being made, the Court is adjourned until tomorrow at [illegible]

Friday, October 30th, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day.
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Benjamin S. Minor, it is ordered that Guido C. Speranza, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

47. Hannah Fitchie et al., Appellants vs. Cecil Brown et al., Executors, &c

The argument of this cause was continued by Mr. A. B. Browne, of counsel for the appellants, and Mr. Clarence A. Olson for Galbraith's executors, by

company, Limited, and concluded by Mr. Browne, of counsel for the appellants.

The Waters (Pierce Oil Co. vs. Plaintiff in Error,
359 & 360. The State of Texas.

On motion of Mr. G. W. A... of counsel ... defendant ...

nor, leave is hereby granted to three counsel ... argue these cases orally for each side, and ... hour additional time is allowed counsel ... each side for the argument.

The Waters-Pierce Oil Co. vs. Plaintiff in Error,
359 & 360. The State of Texas.

The argume... these cases ... commenced ... Mr. Moorfie...

Storey of counsel for the plaintiff in error, a... continued by Mr. G. W. Allen, of counsel for ... defendant in error.

Proclamation being made the Court is adjour... until Monday next at ten ...

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justice
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf, by Mr. C. A. Severance, it is ordered that Charles Wells Gross, Esquire, of Hartford, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Yerkes, it is ordered that Alfred S. Barnard, Esquire, of Asheville, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

206. The People of the State of New York ex rel. August Belz, Plaintiff in Error, vs. Henry Hesterberg, Sheriff of the County of Kings.

In Error t
Supreme C
of the State
New York

This cause came on to be heard on the
script of the record from the Supreme C
of the State of New York, and was arg
by counsel. On consideration whereof,
now here ordered and adjudged by thi
Court that the judgment of the said Su
Court, in this cause, be, and the same is he
affirmed with costs.

Per Mr. Justice Day.

527. The United States and The Cherokee Nation, Appellants vs. John J. Hemphill and Kenneth S. Murchison.

Appeal
from the
Court of Cla

This cause came on to be heard on the tra
of the record from the Court of Claims an
motion to dismiss or affirm, which was
by counsel. On consideration whereof, I
now here ordered and adjudged by thi
Court that this appeal be, and the sam
hereby, dismissed for the want of jurisdicti

Per Mr. Chief Justice Fu

530. John J. Hemphill et al. vs. Kendrick S. Murchison et al. Appellants. The United States and The Cherokee Nation. Appeal from the Court of Claims.

It appearing to the Court that the appellants have filed a motion to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

341. Charles A. Davis, Executor &c., vs. Plaintiff in Error. Cleveland, Cincinnati, Chicago & St. Louis Railway Company. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

552. Oscar W. Reid, vs. Plaintiff in Error. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause

ber 17th next.

per Mr. Chief Justice Fu

George L. Bryan, Collector of the Port of Charleston, vs. Petitioner, Roxana S. Ker, Executrix of W. W. Ker, deceased. — On petition fo of certiorari t United State cuit Court o peals for the Circuit.

574.

On consideration of the petition for a w certiorari herein to the United States C of Appeals for the Fourth Circuit, and argument of counsel thereupon had, as in support of as against the same, It i here ordered by the Court that said pe be, and the same is hereby granted.

per Mr. Chief Justice F

Minnesota Iron Company, Petitioner. vs. Mary L. Davenport and Vernon B. Davenport. — On petition for of certiorari t United States Court of Appea the First Circ

512.

On consideration of the petition for a w certiorari herein to the United States Cir Court of Appeals for the First Circuit, and argument of counsel thereupon had, as we support of as against the same, It is now ordered by the Court that said petition be the same is hereby denied.

per Mr. Justice

537. Willard N. Jones and Thaddeus B. Potter, Petitioners, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

545. L. T. Johnston. Petitioner. vs. A. D. Sexton and Cassidy Brothers Live Stock Commission Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

George Westinghouse and
The Westinghouse Air
Brake Company,
516. vs. Petitioners
Philip Stein, Walter H.
Chamberlin et al.

On petition for
certiorari to
United States
Court of Appea
the Seventh Cir

On consideration of the petition for a w
certiorari herein to the United States C
Court of Appeals for the Seventh Circuit,
of the argument of counsel thereupon h
well in support of as against the same,
now here ordered by the Court that
petition be, and the same is hereby denie

per Mr. Chief Justice F

Adolphus Coulson,
187. vs. Plaintiff in Error,
The Government of the
Canal Zone.

The motion t
miss or affirm
this cause wa
submitted to

consideration

the Court on the record and printed arg
by Mr. Solicitor General Hoyt in suppo
the same, and Mr. Moorfield Storey in
sition thereto.

Ex parte, In the matter
of Adolphus Coulson,
Petitioner.

Mr. Moorfield S
of counsel for
petitioner, sub

to the consideration of the Court a mot

corpus and certiorari and leave was granted to Mr Solicitor General Hoyt to file a brief in opposition thereto, if so advised

378. R. Flores Magon et al. vs. The United States. Appellants. Mr Solicitor General Hoyt of counsel for the appellee submitted to the consideration of the Court a motion to advance this cause.

596. The Baltimore Refrigerating and Heating Co. of Baltimore City, vs. Frank L. Welzel et al. &c. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George Whitelock and Mr. Robert H. Smith in support of the same, and Mr. W. Calvin Chesnut and Mr. Charles Markell Jr. in opposition thereto.

590. Sarah C. Devou, vs. The City of Cincinnati. Petitioner, The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Fred W. Kearns in support of the same, and Mr Edward M. Ballard and Mr Geoffrey Goldsmith

14. The United States, Appellant, vs. The Mountain Copper Company, Limited. On motion of S Solicitor General Hoyt of counsel the appellant, ordered by the C

that this cause be, and the same is hereb passed for settlement.

(237) 360 The Waters Pierce Oil Co., vs. The State of Texas. (Plaintiff in Error, The argumen these cases w continued by L. W. Allen of

sel for the defendant in error; Mr. E. B. Pe of counsel for the plaintiff in error; Mr. R Batts and Mr. R. V. Davidson, of counsel the defendant in error, and Mr. H. S. Pri of counsel for the plaintiff in error.

Proclamation being made, the Court is adjou

Pursuant to adjournment the Court met to-day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk,

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Silas Hare, it is ordered that Marshall Fulton, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

6. Marcellus Thomas, Plaintiff in Error, vs. The State of Texas. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Noah Allen and Mr. Frederick S. Tyler, of counsel for the plaintiff in error, and Mr. Robert V.

counsel for the defendant in error.

219 U.S. 360 — The Waters Pierce Oil Co., Plaintiff in Error, vs. The State of Texas. — The argume these cases concluded b Mr. A. S. Pi

of counsel for the plaintiff in error.

315 — Edward H. Harriman, Appellant, vs. The Interstate Commerce Commission.

316 — Otto H. Kahn, Appellant, vs. The Interstate Commerce Commission.

317 — The Interstate Commerce Commission, Appellant, vs. Edward H. Harriman.

On motion of M John C. Spooner counsel for Har man, it is order that three coun be allowed to ar these cases on b half of Harrima and Kahn, and that six hours t allowed for the gument of these cases. The argu of these cases was commenced by Mr. C. A. Se ance, of counsel for The Interstate Commerce Commission, and continued by Mr. John G Milburn, of counsel for Harriman, and Mr Walter D. Hines, of counsel for Kahn.

(Proclamation being made, the Court is adjou

Wednesday, November 11th, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James M. Beck, it is ordered that Charles F. Mathewson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Bourke Cockran, it is ordered that William S. Jackson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. A. E. Pillsbury, it is ordered Nathan Matthews, Esquire, of Boston, of Massachusetts, be admitted to prac an attorney and counsellor of this Co he was sworn accordingly.

398. William S. Jackson, Attorney General &c., vs. Appellant, Consolidated Gas Co. of New York.

On motion of Bourke Cock leave is hereb ed him to fi brief herein u curiae.

529. The United States et al., vs. Appellants, John J. Hemphill et al.

530. John J. Hemphill et al., vs. Appellants, The United States.

On motion of John J. Hemph leave is hereb ed the Clerk t the mandates these cases.

11. George A. Treadwell & F. C. Beckwith, vs. Appellants, George O. Marrs.

Appeal from s preme Court o Territory of Ar

This cause having been called for hearing regular order, and it appearing to the that the parties have failed to print the script of the record, It is, therefore, ui

adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

315 Edward H. Harriman. vs. Appellant. The Interstate Commerce Commission.

316 Otto H. Kahn. vs. Appellant. The Interstate Commerce Commission.

317 The Interstate Commerce Commission, vs. Appellant. Edward H. Harriman.

The argument of these cases was continued by Mr. Frank B. Kellogg, of counsel for The Interstate Commerce Commission and concluded by Mr. John C. Spooner, of counsel for Harriman. Leave was granted counsel for Harriman to file a reply brief herein, and to counsel for The Interstate Commerce Commission to file a reply thereto within five days.

396. William R. Willcox et al.,
vs. Appellants.
Consolidated Gas Co. of New York.

397. The City of New York.
vs. Appellant,
Consolidated Gas Co., of New York.

398. William S. Jackson.
Attorney General &c.,
vs. Appellant.
Consolidated Gas Co., of New York.

On motion of Allen B. Parker counsel for the plaintiff in No. 396 ordered that counsel be allowed to argue these for each side, that six hours allowed for the argument. The argument of these cases was commenced by E. B. Whitney Esq for the appellants in No. 396.

Proclamation being made, the Court is adjourned until tomorrow at ten o'clock a.m.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. E. Pillsbury, it is ordered that Alonzo R. Reed, Esquire, of Newton, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

396. William R. Willcox et al., vs. Appellants, Consolidated Gas Co. of New York.

397. The City of New York vs. Appellant. Consolidated Gas Co. of New York.

William D. Jackson, Attorney General &c., vs. Appellant. Consolidated Gas Co. of New York.

The argument of these cases was continued by Mr. E. B. Whitney, of counsel for the appellants in No. 396; Mr. William D. Jackson, of counsel for the appellant in No. 398, and Mr. James M. Beck and Mr. Charles F. Wiltheuson, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Friday, November 6th, 1903

Pursuant to adjournment, the Court met today at the Capitol.

(Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk,

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Alton B. Parker it is ordered that Edward S. Watts, Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

The Merchants National Bank of Baltimore, Appellant.
vs.
The United States.

On motion of Mr. Robert C. Hayden, in behalf of counsel for the appellant, It is ordered by the Court that this cause be, and the same is

tion 9 of Rule 26.

396. William R. Willcox et al, vs. Appellants Consolidated Gas Co. of New York.

397. The City of New York, vs. Appellant. Consolidated Gas Co. of New York.

398. William S. Jackson, Attorney General &c, vs. Appellant. Consolidated Gas Co. of New York.

The argument of these cases was continued by Mr. Charles F. Mathewson and Mr. John A. Garver of counsel for the appellees, and concluded by Mr. Allon B. Parker of counsel for the appellant in No. 397. On motion of Mr. Nathan Matthews leave is hereby given him to file a brief herein as amicus curiae.

412. Honolulu Rapid Transit & Land Co., vs. Appellant. The Territory of Hawaii, &c.

This cause was argued by Mr. David L. Withington, of counsel for the appellant, and submitted on a printed argument by Mr. Charles R. Hemenway, of counsel for the appellee.

L. L. McCandless -
109. vs. Plaintiff in Error.
James W. Pratt, Commissioner &c.
plaintiff in error.

The argument of this cause was commenced by Mr. A. B. Browne, of counsel for the

Proclamation being made, the Court is adjourned

Monday. November 9th. 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. F. M. Phelps, it is ordered that George A. Chritton, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Harvey, it is ordered that Edward J. Cantwell, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. B. Enslow, it is ordered that Edward W. Knight, Esquire, of Charleston, and J. Louis Bumgardner, Esquire, of Bickley, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Albert G. Twining and David C. Cornell, Plaintiffs in Error, vs. The State of New Jersey. — In Error to the Court of Errors and Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Errors and Appeals in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Moody.

Dissenting:
Mr. Justice Harlan.

State of Louisiana.
Complainant.
vs.
James R. Garfield, Secretary of the Interior and Fred Dennett, Commissioner of the General Land Office.

This cause came on to be heard on the transcript of the record from the Court of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the bill of complaint in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes.

12. Berea College,
Plaintiff in Error,
vs.
The Commonwealth of Kentucky.
In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

(Mr. Justice Holmes and Mr. Justice Moody concur in the judgment.)

Dissenting: Mr. Justice Harlan and Mr. Justice

187. Continental Wall Paper Co., Petitioner, vs. The Lewis Voight & Sons Co. The Court will receive briefs from counsel, to be filed on or before November 23d, on the question of the jurisdiction of the Circuit Court as affected or controlled by the allegations in the petition that the plaintiff is a corporation duly created, organized and existing under the laws of Ohio and New York, and that the defendant is a corporation created, organized and existing under the laws of Ohio

per Mr. Chief Justice Fuller.

187. Adolphus Coulson, Plaintiff in Error, vs. The Government of the Canal Zone. In Error to the Supreme Court of the Canal Zone.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Canal Zone and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice Fuller.

Ex parte, In the matter of Adolphus Coulson, Petitioner

On consider of the moti leave to file of habeas corpus and certiorari herein, now here ordered by the Court that said be, and the same is hereby, denied.

per Mr. Chief Justice Fu

J.

No. 378. R. Flores Magon et al., Appellants, vs. The United States.

On considera of the motion advance this c It is now here dered by the Court that said motion be, a the same is hereby granted, and the cau signed for argument on Monday, Janu 11th, 1909, after the cases heretofore design for that day.

per Mr. Chief Justice F

No. 590. Sarah O. Devou, Petitioner, vs. The City of Cincinnati.

On petition for w certiorari to the United States Ci Court of Appeals

the Sixth Circuit.

On consideration of the petition for a w of certiorari herein to the United State Circuit Court of Appeals for the Sixth Ci cuit, and of the argument of counsel thereup had, as well in support of as against the sa It is now here ordered by the Court that

said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

596. The Baltimore Refrigerating and Heating Company of Baltimore City: Petitioner, vs. Frank G. Wetzel, and Otto R. Wetzel, co partners, trading under the firm-name of The Wetzel Mechanical Stoker Company: On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court would take a recess from Monday the 16th inst., to Monday, the 30th instant.

1.	The United States, vs. The Mountain Copper Company, Limited, Appellant,	Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the appellant, and a stipulation of counsel for the respective parties to dismiss this appeal having been filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

	Ex parte, In the matter of Carl Hardrat, Original. Petitioner.	Mr. Frederick S. Tyler, on behalf of the petitioner submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein.
852.	Walter Gresham, vs. Petitioner, Arabella D. Huntington et al., Executors &c.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James B. Stubbs, Mr. T. D. Gresham and Mr. Walter Gresham in support of the same, and Mr. R. S.

Mr Maxwell Evarts, and Mr. J. W. Terry in opposition thereto.

Ex parte Albert O. Patrick, Complainant. Appellant. Mr. William L. McDonald of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause and an application for a writ of habeas corpus. The motion to dismiss herein was submitted to the consideration of the Court on printed arguments by Mr. Robert C. Taylor on behalf of the State of New York, in support of the same, and Mr. William L. McDonald in opposition thereto, and leave was granted Mr. Taylor to file an additional brief herein within five days.

606. The General Fireproofing Co. vs. Expanded Metal Co. Petitioner, The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. James K. Barnwell, Mr. Thomas W. Barnwell and Mr. George H. Christy in support of the same.

Ex parte, In the matter of the Chesapeake and Ohio Railway Company. Original. Petitioner The motion for leave to file a petition for a writ of mandamus herein was

on printed arguments by Mr. J. Louis Bi
ner and Mr. F. B. Enslow in support o
same; and Mr. Edward W. Knight in
lee thereto.

(Patrick Cox,
367. vs. Appellant.
Luman F. Hoy.
U. S. Marshal &c.

Mr. William H.
on behalf of co
the appellant,
ted to the cons
tion of the Co
motion to advance this cause.

Western Loan & Savings Co.,
581. vs. Plaintiff in Error,
Colorado Smelting & Mining Co.

On mot
Mr. H.
Thereup
half of

for the plaintiff in error. It is ordered by t
Court that this cause be, and the same
advanced, pursuant to Rule 32.

Western Loan & Savings Co.,
581 vs. Plaintiff in Error.
Colorado Smelting & Mining Co.

This cau
submitte
the con
tion of

Court on the record and a printed ar
by Mr. John A. Shellon, of counsel for
plaintiff in error.

The Butler Brothers Shoe Company.
582. vs. Petitioner,
The United States Rubber Company.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr Charles J. Hughes, Jr. in support of the same and leave to counsel for the respondent to file a brief hereafter.

Honolulu Rapid Transit & Land Company.
412. vs. Appellant.
Territory of Hawaii &c.

On motion of Mr. A. B. Browne, of counsel for the appellant, leave is hereby granted him to file an additional brief herein.

L. L. McCandless,
109. vs. Plaintiff in Error.
James W. Pratt, Commissioner &c.

The argument of this cause was continued by Mr A. B. Browne of counsel for the plaintiff in error; Mr. Charles R. Hemenway and Mr. Henry E. Cooper, of counsel for the defendant in error, and concluded by Mr. A. B. Browne, of counsel for the plaintiff in error.

Clinton J. Hutchins, Trustee,
1117 vs Appellant.
William W. Burke, Limited.

The argument of this cause was commenced by Mr. David L. Withington, of counsel for

Tuesday, November 10th, 1903.

Pursuant to adjournment, the Court me
at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Ju
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Ass
Joseph McKenna Ju
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Ma
James H. McKenney, Clerk

Proclamation being made the Court is ope

On motion first made to the Court in th
half by Mr. A. B. Browne, it is ordered th
Sam J. Hunter, Esquire, of Fort Worth, T
Texas be admitted to practice as an attor
and counsellor of this Court, and he was
accordingly.

H.H.J

Clinton J. Hutchins, Trustee, The argume
vs. Appellant; this cause w
William W. Birce, Limited continued b
David L. W
ton, of counsel for the appellant; and Mr. C
H. Aldrich, of Counsel for the appellee, and
cluded by Mr. A. B. Browne, of counsel for

	American Express Co.	The argument of these
405	vs. Appellant.	cases was commenced
	The United States.	by Mr Lawrence Max-
	National Express Co.	well, Jr., of counsel for
406	vs. Appellant.	the appellants, and
	The United States.	continued by Mr.
	United States Express Co.	Solicitor General
407	vs. Appellant.	Hoyt, and Mr. Attor-
	The United States.	ney General Bona-
	Wells-Fargo & Co.	parte, of counsel for
408	vs. Appellant.	the appellee
	The United States.	
	Adams Express Co.,	
409	vs. Appellant.	
	The United States.	

Proclamation being made, the Court is again ad-

Wednesday, November 11th, 1903

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.,

Proclamation being made, the Court is opened.

378. R. Flores Magon et al., Appellants.
vs.
The United States.

The motion to admit the appellants to bail was submitted to the consideration of the Court by Mr. J. H. Ralston in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

1405
1406
1407
1408
1409

American Express Co.
vs. Appellant.
The United States.
National Express Co.
vs. Appellant
The United States.
United States Express Co.
vs. Appellant.
The United States.
Wells-Fargo & Co.
vs. Appellant.
The United States
Adams Express Co.
vs. Appellant.
The United States.

The argument of these cases was continued by Mr. Attorney General Bonaparte, of counsel for the appellee, and concluded by Mr. Lawrence Maxwell, Jr., of counsel for the appellant.

American Express Co.
vs. Appellant
The United States.
National Express Co.
vs. Appellant
The United States.
United States Express Co.
vs. Appellant.
The United States.
Wells Fargo & Co.
vs. Appellant
The United States.
Adams Express Co.
vs. Appellant

On motion of Mr. Lawrence Maxwell, Jr., of counsel for the appellants, It is ordered by the Court that the injunctions awarded by the final decrees appealed from in these cases be, and the same are hereby, suspended, pending the decision of these cases by this Court.

No. 93. American Sugar Refining Company of New York, Appellant, vs. The United States.

This cause was argued by John G. Johnson, of counsel for the appellant, and James C. McReynolds, of counsel for the

No. 5. Rafael Enriquez, Administrator &c., Plaintiff in Error, vs. A. S. Watson & Co., Limited.

This cause was argued by Mr. Browne, of counsel for the defendant in error, and a subprinted arguments by Mr. J. H. Ralston, F. L. Siddons and Mr. William E. Rich of counsel for the plaintiff in error.

No. 6. The Bowers Hydraulic Dredging Company, Appellant, vs. The United States.

This cause was argued by Mr. Michener, of counsel for the appellant, and Mr. Assis Attorney General John G. Thompson, of counsel for the appellee.

No. 16. The Missouri Pacific Railway Company, Plaintiff in Error, vs. The Larabee Flour Mills Co.

The argument in this cause was commenced by Mr. B. P. Waggener, of counsel for the plaintiff in error.

Proclamation being made, the Court is ad

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes.
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered by the Court that Fred S. Ball, Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered, Alexander M. Garber, Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Alonzo Bailey,
vs. Plaintiff in Error,
The State of Alabama.

This cause wa
mitted to the
eration of the
pursuant to
20th Rule on the record and printed ar
by Mr. Fred S. Ball and Mr. Edward
of counsel for the plaintiff in error, and
Alexander M. Harber, of counsel for the de
in error. On motion of Mr Solicitor Gen
Hoyt, leave is hereby granted to the Att
General of the United States to file a pr
brief herein as amicus curiae, and to co
for the defendant in error to file a reply
within ten days.

The Missouri Pacific
Railway Company,
vs. Plaintiff in Error.
The Larabee Flour Mills Co.

The argument
cause was con
by Mr. B. P. Wa
of counsel for
plaintiff in er

Mr. Joseph G. Waters and Mr Charles
Smith, of counsel for the defendant in er
concluded by Mr. B. P. Waggener, of couns
the plaintiff in error.

The American Surety Co.
of New York,
vs. Plaintiff in Error.
The Akron Savings Bank Co. et al.

This cause c
argued by
Frederic D. M
of counsel fo
plaintiff in

and Mr. John C. Gittings, of counsel for the

26	The Phoenix Bridge Co. vs. Appellant, The United States.	The argument of this cause was commenced by Mr John Spalding Flannery, of counsel for the appellant.

Proclamation being made, the Court is ad-

Friday, November 13th, 19

(Pursuant to adjournment, the Court me
at the Capitol.

(Present:

The Honorable Melville W. Fuller, Chief J
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Ass
Joseph McKenna, Jus
Oliver Wendell Holmes
William R. Day.
William H. Moody.
John M. Wright, Esquire, M
James A. McKenney, Es

(Proclamation being made, the Court is ope

36. The Phoenix Bridge Co., Appellant, vs. The United States. The argumen
cause was con
by Mr. John G
Flannery, of co
for the appellant, and Mr. Assistant Attor
General John L. Thompson of counsel fo
appellee, and concluded by Mr. Frederic
McKenney, of counsel for the appellant.

51 The Water, Light & Gas Co., Appellant, vs. The City of Hutchinson et al. The argument
this cause wa
resumed by M
Howard A. Le
of counsel for the appellant. Mr.

to hear counsel for the appellee.

North American Cold Storage Company
vs. Appellant,
The City of Chicago et al.

This cause was argued by Mr. L. A. Stubbins, of counsel for the appellant, and Mr. Emil G. Wetten of counsel for the appellee.

Proclamation being made the court is ad-

Monday, November 16th, 1908.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. R. Dennis, it is ordered that Ray H. Beale, Esquire, of the State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. A. Moseley, it is ordered that Arthur R. Mackey, Esquire, of Jackson, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Morita Kuzo.
vs. Plaintiff in Error.
William Henry, High
Sheriff of the Territory
of Hawaii

In Error to the
Supreme Court of the
Territory of Hawaii

This cause came on to be heard on the tran-
script of the record from the Supreme Court
of the Territory of Hawaii, and was argued
by counsel. On consideration whereof, It is
now here ordered and adjudged by this
Court that the judgment of the said Supreme
Court, in this cause, be, and the same is hereby
affirmed with costs.

per Mr Justice Moody.

Louisville & Nashville
Railroad Company,
vs. Appellant.
Erasmus L. Molley and
Minnie E. Molley, his wife,

Appeal from the
Circuit Court of the
United States for
the Western Dis
trict of Kentucky

This cause came on to be heard on the tran-
script of the record from the Circuit Court
of the United States for the Western District
of Kentucky, and was argued by counsel.
On consideration whereof, It is now here
ordered, adjudged and decreed by this Court
that the decree of the said Circuit Court, in
this cause, be, and the same is hereby, reversed

same is hereby, remanded to the said Co
Court with directions to dismiss the au
want of jurisdiction.

per Mr. Justice Mo

Honolulu Rapid Transit & Land Company,
22. vs. Plaintiff in Error,
Charles T. Wilder, Assessor,

In Error t
Supreme C
of the Terr
of Hawai

This cause came on to be heard on the
script of the record from the Supreme C
the Territory of Hawaii, and was argu
counsel. On consideration whereof, It i
here ordered and adjudged by this Cou
the writ of error in this cause, be, and
same is hereby, dismissed for the want o
diction.

per Mr. Justice Holmes.

Honolulu Rapid Transit & Land Company,
23. vs. Appellant,
Charles T. Wilder, Assessor,

Appeal fr
Supreme C
of the Terr
of Hawai

This cause came on to be heard on the
script of the record from the Supreme Co
of the Territory of Hawaii, and was arg
by counsel. On consideration whereof,
is now here ordered, adjudged, and de
by this Court that the

Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes

State of Washington,
Complainant,
vs. In Equity.
State of Oregon

This cause came on to be heard upon the pleadings and proofs, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the boundary between the State of Washington and the State of Oregon is the center of the North Channel of the Columbia River, changed only as it may be from time to time through the processes of accretion. It is further ordered, adjudged, and decreed that each party pay one half of the costs in the cause.

per Mr. Justice Brewer.

Ex parte, In the matter of Carl Hardrat, Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ex parte, In the matter of The Chesapeake & Ohio Railway Company, Petitioners, Original.

Ou consid of the m leave to f petition unit of th

mus herein, & it is now here ordered court that said motion be, and the hereby, denied.

per Mr. Chief Justice Fu

263. Patrick Cox, vs. Appellant. Luman T. Hoy, U. S. Marshal &c.

Ou consideration the motion to vance this ca is now here or by the court said motion be, and the same is hereby

per Mr. Chief Justice F

382. Walter Gresham, vs. Petitioner. Arabella D. Huntington, Charles H. Tweed & J. E. Gates as Executors of the last will of Collis P. Huntington, deceased, et al.

Ou petition of certiorari Unitid State cuit Court o peals for the Circuit.

On consideration of the petition for a of certiorari herein to the United Sta Circuit Court of Appeals for the Fifth C and of the argument of counsel thereu

same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

582. The Butlers Brothers Shoe Company, Petitioner, vs. United States Rubber Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

606. The General Fireproofing Co., Petitioner, vs. The Expanded Metal Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel in support of the same, It is now here ordered by

same is hereby granted.

Per Mr. Chief Justice Fu

378. R. Flores Magon et al., Appellants. vs. The United States.

On consideral
the motion t
mit the appe
herein to bail
now here ordered by the Court that
motion be, and the same is hereby, den

Per Mr. Chief Justice Fu

1161. Ex parte, Albert T. Patrick, Complainant, Appellant.

Appeal from
Circuit Coun
United State

the Southern District of New York.

This cause came on to be heard on t
script of the record from the Circuit Cou
the United States for the Southern Distri
New York and on a motion to dismis
was argued by counsel. On consideratio
whereof, It is now here ordered, adjud
decreed by this Court that this appeal
the same is hereby, dismissed for the wa
jurisdiction

Per Mr. Chief Justice Fu

1161. Ex parte: Albert T. Patrick. Complainant. Appellant.

On consider
of the appli
for a writ o
has corpus

It is now here ordered by

application be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

21. The Water, Light & Gas Co., Appellant, vs. The City of Hutchinson et al. Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

58. Western Loan & Savings Co., Plaintiff in Error, vs. Colorado Smelting & Mining Co. In Error to the Circuit Court of the United States for the District of Montana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that

in this cause be, and the same is hereby
with costs; and that this cause be, and
same is hereby remanded to the said
Court with directions to proceed in c
ity with law.

per Mr. Chief Justice Tu

Rafael Enriquez as Adminis-
trator of the Estate of Antonio
Enriquez, deceased.
vs. Plaintiff in Error.
A. S. Watson & Co., Limited.

In Erro
the Supre
of the Phil
Islands.

This cause came on to be heard on th
script of the record from the Supreme C
the Philippine Islands, and was arg
by counsel. On consideration whereof,
now here ordered and adjudged by th
Court that the writ of error in this ca
and the same is hereby dismissed for a
want of jurisdiction.

per Mr. Chief Justice Fu

426. Alexander D. Shaw, et al.,
vs. Appellants.
The United States.

The motion
mise or affir
this cause is
submitted to
consideration of the Court on printed ar
ments by Mr. Solicitor General Hoyt in s
of the same, and Mr. Edward S. Halsh a
Walter F. Welch in opposition thereto

597. E. M. Peck. vs. St. Louis & San Francisco Railway Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederic D. McKinney and Mr. Luther M. Walter in support of the same, and Mr. H. F. Evans in opposition thereto, and on motion of Mr. Attorney General Bonaparte, leave was granted him to file a printed brief herein as amicus curiæ.

618. José Maria Ubarri é Yramategui, vs. Appellant, Pablo Ubarri é Yramategui et al. — Mr. John Maynard Hahlan, of counsel for the appellee, having filed in open court the following certificate, to wit:

"In the District Court of the United States for Porto Rico

José Maria Ubarri é Yramategui, vs. Complainant, Pablo Ubarri é Yramategui et al. Defendants } No. 4 of In Equity.

I, John L. Hay, clerk of the District Court of the United States for Porto Rico, do hereby certify that in a certain cause pending in said Court, wherein José Maria Ubarri é Yramategui was complainant, and

Ubarri e Ypramategui were defendants, a final decree was rendered by said District Court of the United States for Porto Rico on the 1st day of July, A. D. 1907, in favor of the said defendant, Pablo Ubarri e Ypramategui, the case having been dismissed as to Rufino Ubarri as per opinion filed April 2, 1907, and against the said Jose Maria Ubarri e Ypramategui, complainant, and that on the 1st day of July, A. D. 1907 said Jose Maria Ubarri e Ypramategui prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of said District Court of the United States for Porto Rico, at San Juan, Porto Rico this 6th day of October, A. D. 1908, and of the Independence of United States of America the 133rd.

Seal

John L. Hay,
Clerk.

Clerk, Dist. Court of U. S. for P. R."

and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the District Court of the United States for Porto Rico be, and the same is hereby docketed and dismissed, with costs; and that this cause be, and the same is hereby

ed to the said District Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

1483 Komada & Company, Petitioners, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. Wickham Smith, Mr. Thomas Finch, Mr. J. J. Dunne and Mr. J. M. Thurston in support of the same, and Mr. Solicitor General Hoyt and Mr. J. C. McReynolds in opposition thereto.

619 Angelo Schneider, Plaintiff in Error, vs. American Bridge Co. of New York. Mr. Reginald S. Hundeker, of counsel for the defendant in error, having filed in open court the following certificate, to wit:

"Court of Appeals of the District of Columbia.

I, Henry W. Hodges, Clerk of the Court of Appeals of the District of Columbia, do hereby certify that in a certain cause pending in said Court, wherein Angelo Schneider was appellant, and American Bridge Company of New York, a corporation, was appellee, a final judgment was rendered by said Court on the nineteenth day of May, A. D. 19[illegible]

said appellant, and that on the sec
of June, A. D. 1908, said Appellant A
Schneider sued out a writ of error
Court of Appeals of the District of Col
directed to remove said cause to the
Court of the United States.

In testimony whe
hereunto subscribe
name and affix th
of said Court of App
Washington, D.C. th
day of November, A

Henry W. Hod
Clerk

and it appearing to the Court that th
tiff in error has failed to have his ca
and docketed in conformity with the
of this Court, It is now here ordered
adjudged by this Court that the writ
nor in this cause to the Court of App
of the District of Columbia be, and the
is hereby, docketed and dismissed with
and that this cause be, and the same
hereby, remanded to the said Court of
to be proceeded in according to law an

Per Mr. Chief Justice

176 Sarah Z. Abrams, Appellant, vs. Elizabeth White et al. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. A. B. Browne and Mr. Alexander Britton in support of the same.

184 Brown Forman Co., Plaintiff in Error, vs. Commonwealth of Kentucky. It is ordered by the Court that this cause be and the same is hereby, continued until the next term, per stipulation of counsel.

1462 M. E. Thornton et al., Plaintiffs in Error, vs. The Mayor, &c., of the City of Natchez et al. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Robert H. Thompson in support of the same, and Mr. Wade K. Young in opposition thereto.

Proclamation being made, the Court is adjourned

Monday, November 30th, 1

Pursuant to adjournment, the Court
at the Capitol.

Present:

The Honorable Melville W. Fuller, Ch
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holm
William R. Day
William H. Moody

John M. Wright, Esquire,
James H. McKenney,

Proclamation being made, the Court

On motion first made to the Court
behalf by Mr. Attorney General Bon
it is ordered that Elijah W. Jolin
of Chicago, State of Illinois, be admi
practice as an attorney and counse
this Court, and he was sworn accor

On motion first made to the Court
behalf by Mr. Solicitor General Hoyt
ordered that Henry J. Wheeler, Esqu
New York City, and Charles C. Watson
of Cumberland, State of Maryland, b
ted to practice as attorneys and cou
of this Court upon their respective

Monday, November 30th, 1908, Continued.

On motion first made to the Court in this behalf by Mr. John L. Thompson it is ordered that Willard L. Sturdevant, Esquire, of St Louis, State of Missouri, and M. L. Mott, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. Moultrie Mordecai, it is ordered that Frank Carter, Esquire, of Asheville, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. L. Abney, it is ordered that J. Fraser Lyon, Esquire, of Columbia, and Donald A. Matheson, Esquire, of Cheraw, State of South Carolina, and Daniel W. Rountree, Esquire, of Atlanta, State of Georgia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Hamilton, it is ordered that George B. Lester, Esquire, of New York

and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. J. Beall, it is ordered that J. F. Woodson, Esquire of El Paso, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Kearney, it is ordered that J. Granville Monson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Dubuisson, it is ordered that William J. Landoz, Esquire, of Opelousas, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

173.

On motion first made to the Court in this behalf by Mr. Frank P. Flint, it is ordered that John G. North, Esquire, of Riverside, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Culbertson, it is ordered that Charles H. Starbuck, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Wilson, it is ordered that Alfred M. Easton, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that Oliver C. Carpenter, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Home Telephone & Telegraph Co. vs. The City of Los Angeles, A. C. Harper, Mayor, and R. W. Bromgold et al, members of the Common Council. — Appeal from the Circuit Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court

of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Moody.

30

Honolulu Rapid Transit & Land Company, Appellant,
vs. Appeal from the Supreme Court of the Territory of Hawaii.
412. The Territory of Hawaii by Charles R. Hemenway, Attorney General of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Moody.

248.

Dissenting:
Mr. Chief Justice Fuller.

Monday, November 30th, 1903, continued.

Charles F. Wilder, Assessor & Collector of the First Taxation Division of the Territory of Hawaii, vs. Plaintiff in Error, Inter-Island Steam Navigation Company, Limited. In Error to the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

James Rudolph Garfield, Secretary of the Interior, vs. Plaintiff in Error. The United States of America ex rel. John E. Goldsby. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court

is hereby affirmed with costs.

per Mr. Justice Day.

249. James Rudolph Garfield, Secretary of the Interior, vs. Plaintiff in Error, The United States of America ex rel. Ida Allison. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

250 James Rudolph Garfield, Secretary of the Interior, vs. Plaintiff in Error, The United States of America ex rel. George A. Allison. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court

Monday, November 30th, 1903, continued.

this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Day.

Robert K. Prentis et al., Individually and as constituting the State Corporation Commission of Virginia, et al. vs. Atlantic Coast Line Railroad Company. — Appellants

Appeal from the Circuit Court of the United States for the Eastern District of Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be indicated in the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:

Mr. Justice Brewer.

Mr. Chief Justice Fuller and Mr. Justice Harlan concur in the judgment of reversal.

Robert R. Prentis et al, individually and as constituting the State Corporation Commission of Virginia, et al.,
vs.
The Chesapeake & Ohio Railway Company.

Appeal from the Circuit Court of the United States for the Eastern District of Virginia

2,71. Appellants.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings as indicated in the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Brewer.
[Mr. Chief Justice Fuller and Mr. Justice Harlan concur in the judgment of reversal.]

Robert R. Prentis et al., individually and as constituting the State Corporation Commission of Virginia, et al., Appellants, vs. Chesapeake Western Railway. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

237.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings as indicated in the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Brewer.
(Mr. Chief Justice Fuller and Mr. Justice Harlan concur in the judgment of reversal.)

Robert R. Prentis et al., individually and as constituting the State Corporation Commission of Virginia, et al., Appellants, vs. Louisville & Nashville Railroad Company. — Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

273

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings as indicated in the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Brewer.
(Mr. Chief Justice Fuller and Mr. Justice Harlan concur in the judgment of reversal.)

Robert R. Prentis et al., individually and as constituting the State Corporation Commission of Virginia, et al., Appellants, vs. Norfolk & Western Railway Co. } Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

27/4.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings as indicated in the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Brewer,
(Mr. Chief Justice Fuller and Mr. Justice Harlan concur in the judgment of reversal.)

Robert R. Prentis et al., individually and as constituting the State Corporation Commission of Virginia, et al., Appellants, vs. Southern Railway Co.

Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

2/5.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings as indicated in the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Brewer.
(Mr. Chief Justice Fuller and Mr. Justice Harlan concur in the judgment of reversal.)

13.

9

Thomas H. Pickford and John A. Walter. vs. Plaintiffs in Error, Henry M. Talbott. In Error to the Court of Appeals of the District of Columbia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

The Bowers Hydraulic Dredging Company, vs. Appellant, The United States. Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice White.

36. The Phoenix Bridge Co., Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims be, and the same is hereby, affirmed.

Per Mr. Justice White.

7. E. J. Cotton, C. E. Cotton and James B. Agassiz, copartners, doing business under the firm name of Cotton Brothers & Co., Plaintiffs in Error, vs. The Territory of Hawaii by C. J. Holloway, Superintendent of Public Works. In Error to the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

3 The American Sugar Refining Co. of New York, Appellant, vs. The United States. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this court, that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice Fuller.

9 American Surety Co. of New York, vs. Plaintiffs in Error, The Akron Savings Bank & Company, and Eliza J. Howe and Fred Ozier, Executors of Minor A. Howe, deceased. In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this court that the judgment of the said Supreme

hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

110. The Phoenix Construction Co., Appellant, vs. The Steamer "Poughkeepsie" &c. and the Steamer "Homer Ramsdell," &c; Central Hudson Steamboat Co., Claimant. Appeal from the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court, in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

176. Sarah Z. Abrams, Appellant, vs. Elisabeth White, William J. White, Mary Jane Kittenbach et al. Appeal from the Circuit Court of the United States for the District of Idaho.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Idaho,

ged by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

W. E. Thornton, Mrs. E. C. Thornton, Mrs. H. J. Grant et al. vs. The Mayor and Board of Aldermen of the City of Natchez and the City of Natchez. In Error to the Supreme Court of the State of Mississippi.

462.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

436.	Alexander D. Shaw, Caro B. L. Shaw, and Muncie L. Shaw, doing business under the firm name and style of Alexander D. Shaw & Company, vs. The United States. Appellants,	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

488.	Komada & Company, vs. The United States. Petitioner,	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

E. M. Dick, Petitioner vs. St. Louis & San Francisco Railway Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Continental Wall Paper Company, Petitioner vs. The Lewis Voight & Sons Company. — It is ordered by the Court that a writ of certiorari be, and the same is hereby, granted on the suggestion of diminution of record herein and that the papers printed on such suggestion and motion for writ of certiorari stand as a return to the writ.

Per Mr. Chief Justice Fuller.

628. The United States. vs. The Standard Oil Company, &c. Petitioner

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Attorney General Bonaparte, Mr. Solicitor General Hoyt, Mr. Frank B. Kellogg, Mr. Edwin W. Sims, and Mr. James H. Wilkerson in support of the same, with leave of Court to Mr. John S. Miller, of counsel for the respondent to file a brief in opposition thereto within three weeks.

235. W. E. Rakes. vs. The United States. Plaintiff in Error.

The motion to advance this cause and the motion to admit the plaintiff in error to bail were submitted to the consideration of the Court on printed arguments by Mr. Walter R. Staples in support of the same, and Mr. Solicitor General Hoyt in opposition to the motion to admit to bail.

627. Chicago, Burlington & Quincy Railway Co., vs. Ernestus W. Willard, Administrator &c. Petitioner

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argu-

ments by Mr. Albert J. Hopkins in support of

Emil C. Wellen in opposition thereto.

625. W. J. Murray et al., Petitioners vs. The Wilson Distilling Company, et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. B. L. Abney and Mr. N. F. Stevenson in support of the same, and Mr. F. Moultrie Mordecai and Mr. Alfred L. Barnard in opposition thereto.

631. St. Louis, Kansas City & Colorado Railroad Co. vs. The Wabash Railroad Company, et al. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank Hagerman, Mr. W. F. Evans and Mr. M. A. Low in support of the same, and Mr. Wells A. Blodgett and Mr. James L. Minnis in opposition thereto.

353. St. Louis, Kansas City & Colorado Railroad Co., Appellant, vs. The City of St. Louis et al. The motion to dismiss herein was submitted to the consideration of the Court on the record and a printed argument by Mr. James L. Minnis and Mr. Wells A.

was granted counsel for the appellant to
a brief in opposition thereto within two

307.	Demetrius M. Steward et al., vs. Petitioners. American Lava Co., et al.	Mr. F. C. Dom in behalf of sel for the pe ers, suggeste death of Geo Von Schwar of the petitio
308.	Moritz Kirchberger et al., vs. Petitioners, American Lava Co., et al.	

herein, and moved the Court to make
Williams, Administrator of the said G
Von Schwarz, a party petitioner in these
cases. Whereupon, It is now here ordered
the Court that the said R. H. Williams,
ministrator of George Von Schwarz, deceased
as Administrator, be, and he is hereby, m
a party petitioner in these cases.

632.	John F. Klumpp et al., vs. Petitioners, C. Wesley Thomas	The petition a writ of cert ri herein wa submitted to

consideration of the Court on printed ar
ments by Mr. Henry J. Webster in suppor
of the same, and Mr. Solicitor General Ha
in opposition thereto.

605. W. J. Murray et al., Plaintiffs in Error, vs. The State of South Carolina ex rel. A. W. Ray, Trustee. Mr. D. D. Mathewson, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

Ex parte, In the matter of Mary Dunn et al, Original Petitioners. Mr. C. W. Starling, of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

1116. The Delaware & Hudson Co., vs. The Albany & Susquehanna Railroad Company et al. The motion to advance this cause was submitted to the consideration of the court on printed arguments by Mr. George Wellwood Murray, Mr. E. Parmalee Prentice and Mr. Charles P. Howland in support of the same, and Mr. William D. Opdyke and Mr. James M. Beck in opposition thereto.

521. John F. Calder et al. Plaintiffs in Error, vs. The People of the State of Michigan ex rel. George E. Ellis et al.

The mot… suppose… in was … to the co… tion of th… on furth… ments by Mr. Willard Kingsley an… John E. Morse in support of the ca… Mr. John E. Bird and Mr. Moses … in opposition thereto.

522. Adam T. Diler et al., Appellants vs. The Louisville & Nashville Railroad Company.

523. Adam T. Diler et al., Appellants vs. The Illinois Central Railroad Company.

524. Adam T. Diler et al., Appellants vs. The Southern Railway in Kentucky.

525. Adam T. Diler et al., Appellants vs. The Cincinnati, New Orleans & Texas Pacific Railway Co.

Mr. C. C… in behal… self for the… lante, in… to the co… tion of t… motion … vance th… and co… date the… for hear… one case… Henry L… of counse… the Louis… Nashvill… road Com…

submitted a printed argument in … tion to the motion to consolidate.

142 John A. Watson, Plaintiff in Error, vs. The State of Maryland. Mr. Charles G. Watson, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Rafael Enriquez, Administrator &c., Plaintiff in Error, vs. A. S. Watson & Co. Limited, 5 On motion of Mr. A. B. Browne, of counsel for the defendant in error, leave is hereby granted the clerk to issue the mandate in this cause.

141. The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co., Plaintiff in Error, vs. George W. Lighthiser

142. The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co., Plaintiff in Error, vs. Thomas Collins

178. The Pittsburgh, Cincinnati Chicago & St. Louis Railway Co., Plaintiff in Error, vs. William B. Rose

The motions to dismiss or affirm and for damages in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Stewart J. McConnell in support of the same, and Mr. Allen Zollars in opposition thereto.

24. John W. McLean. vs. Plaintiff in Error. The State of Arkansas. This cause was argued by Daniel B. of counsel plaintiff in error, and submitted on a argument by Mr. James Brizzolar counsel for the defendant in error.

31. El Paso & Southwestern Railroad Company, vs. Plaintiff in Error, A. D. Vizard. plaintiff in error. The argum this cause commenc Mr. J. F. of counsel

Proclamation being made, the Court is

Tuesday, December 14th 1908.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes,
William R. Day.
William H. Moody.
John M. Wright Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles A. Culberson it is ordered that Sam Streetman, Esquire, of Houston, State of Texas be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Robeson, it is ordered that Harry Peyton, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this

On motion first made to the Court in behalf by Mr. Frank W. Hackett it is ordered that Harold Nathan, Esquire, of New York City be admitted to practice an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. T. J. Beall, it is ordered that J. A. Gillett, Esquire, of Marfa, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. A. B. Browne, it is ordered that Frank E. Thompson, Esquire, of Honolulu, Territory of Hawaii, and George M. Nowell, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in behalf by Mr. Frank Spurlock, it is ordered that J. B. Sizer, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

El Paso & Southwestern Railroad Company, 31. vs. Plaintiff in Error, A. D. Lizard. The argument of this cause was continued by Mr. J. S. Woodson, of counsel for the plaintiff in error, and Mr. W. A. Robeson, of counsel for the defendant in error, and concluded by Mr. J. F. Woodson, of counsel for the plaintiff in error.

Alexander Miller, 32. vs. Plaintiff in Error, The New Orleans Acid & Fertilizer Company et al. This cause was argued by Mr. E. B. Dubuisson, of counsel for the plaintiff in error, and Mr. William J. Sandoz, of counsel for the defendants in error.

Edward Murphy 2d, 33. vs. Plaintiff in Error, John Hofman Company. The argument of this cause was commenced by Mr. Herbert D. Bailey, of counsel for the plaintiff in error.

Proclamation being made, the court is ad-

Pursuant to adjournment, the C
today, at the Capitol.

Present:

The Honorable Melville W. Fuller,
John M. Harlan,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holm
William R. Day
William H. Moody
John M. Wright, Esqui
James H. McKenne

Proclamation being made, the Court

On motion first made to the Court
behalf by Mr. W. W. Watts, it is or
that Henry Pitts, Esquire, of Tusc
State of Alabama, be admitted to
his as an attorney and counsel
this Court, and he was sworn a

No. 53.

Edward Murphy 2d,
vs. Plaintiff in Error.
John Hofman Company.

The arg
of this
was co
by Mr. H

Bailey, of counsel for the plaintiff in er
by Mr. John A. Burbitt, of counsel for
fendant in error, and concluded by Mr

33. Frederic L. Grant Shoe Co. Bankrupt, vs. Plaintiffs in Error. W. H. Laird & Co. of Pittsburg, Pa. This cause was argued by Mr. V. M. Trench, of counsel for the plaintiffs in error, and Mr. Hiram R. Wood, of counsel for the defendant in error.

34. Juragua Iron Co. Limited, vs. Appellant, The United States. The argument of this cause was commenced by Mr. Frederic D. McKenney, of counsel for the appellant, and continued by Mr. Assistant Attorney General John D. Thompson, of counsel for the appellee.

Proclamation being made, the court is ad-

Thursday, December 3d, 1908.

Pursuant to adjournment, the Court m
day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Ju
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Asso
Joseph McKenna Jus
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Mar
James H. McKenney, C

Proclamation being made, the Court
opened.

On motion first made to the Court
their behalf by Mr. T. J. Doran, it is
that Isaac H. Mayer and Hal C. Ba
Esquires, of Chicago, State of Illinois,
mitted to practice as attorneys and coun
of this Court, and they were sworn acc

On motion first made to the Court in th
behalf by Mr. Frank Spurlock, it is ord
that Louis L. Waters and Ephraim J.
Esquires, of Syracuse, State of New York
admitted to practice as attorneys and

sworn accordingly.

46.	Sheridan Kirk Contract Company, Plaintiff in Error, vs. The United States	In Error to the District Court of the United States for the Southern District of Ohio

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is, hereby, dismissed.

Per Mr. Chief Justice Fuller.

31	Juragua Iron Co. Limited, Appellant, vs. The United States.	The argument of this cause was continued by Mr. Assistant Attorney General John D. Thompson, of counsel for the appellee, and concluded by Mr. John Spalding Flannery, of counsel for the appellant.

36 Lillian S. Butler, Plaintiff in Error, vs. John L. Frazier. This cause was argued by Mr. John C. Gillinger of counsel for the plaintiff in error, and Mr. Leonard J. Mackey of counsel for the defendant in error.

38. William McCorquodale, Plaintiff in Error, vs. The State of Texas. This cause was argued by Mr. Sam Streetman, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Robert V. Davidson and Mr. Felix J. McCord, of counsel for the defendant in error.

39. E. J. Page et al, Executors &c., Appellants, vs. H. F. Rogers, Trustee. The argument of this cause was commenced by Mr. Frank Spurlock, of counsel for appellants.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day.
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Charles F. Moser, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

34. E. J. Page et al, Executors &c. vs. H. F. Rogers, Trustee, &c. Appellants. The argument of this cause was continued by Mr. Frank Spurlock, of counsel for appellants and Mr. J. B. Dizer, of counsel for appellee, and con

for the appellants.

111. County of Presidio, Texas, Petitioner, vs. The Nock-Young Bond & Stock Company.

This cause was argued by Mr. T. J. Beall, of counsel for the petitioners, and submitted on a printed argument by Mr. Millard Patterson, of counsel for the respondents.

Proclamation being made, the Court is adjourned

Monday, December 7th, 1903.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that Francis William Rawle, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Watts, it is ordered that William J. Griffin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court,

On motion first made to the Court in this behalf by Mr. Charles A. Merillat it is ordered that T. O. Cassidy, Esquire, of Shawnee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew Wilson, it is ordered that John Lawson Hargrove, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Culberson, it is ordered that T. P. Gore, Esquire, of Lawton, State of Oklahoma, and S. P. Jones, Esquire, of Marshall, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Prentiss it is ordered that Ransom J. Powell, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that John Bryce Bachus, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Eva A. Ingersoll, as Administratrix of the Estate of Robert G. Ingersoll, deceased. vs. Petitioner. Joseph A. Coram, Henry A. Root and Charles A. Palmer, Trustee

On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

8

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that the decree of the Circuit Court of the United States for the District of Massachusetts be modified as indicated in the opinion of this Court, and, as so modified, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court.

per Mr. Justice McKenna.

Dissenting:

28. North American Cold Storage Company, Appellant, vs. The City of Chicago et al. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, modified by striking out the ground for dismissal of the bill as being for want of jurisdiction, and, as so modified, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

Dissenting:
Mr. Justice Brewer.

47. Hannah Fitchie, Barry Fitchie et al., Appellants, vs. Cecil Brown and William O. Smith, Executors under the will of George Galbraith, deceased, and the Hawaiian Trust Company, Limited. Appeal from the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript

Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Peckham.

518. Miller & Lux, Incorporated, Appellant, vs. East Side Canal & Irrigation Company. Appeal from the Circuit Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

111. The Pittsburgh, Cincinnati Chicago & St. Louis Railway Co., Plaintiff in Error, vs. George W. Lightheiser. In Error to the Supreme Court of the State of Indiana.

script of the record from the Supreme Court of the State of Indiana and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co., Plaintiff in Error, vs. Thomas Collins. — In Error to the Supreme Court of the State of Indiana.

112.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co., Plaintiff in Error, vs. William R. Ross. — In Error to the Supreme Court of the State of Indiana.

178

This cause came on to be heard on the transcript

State of Indiana, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of Mary Dunn in her own behalf, and as next friend of Walter Dunn et al., Petitioner

10 Original

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of Mary Dunn in her own behalf and as next friend of Walter Dunn et al., Petitioner

10 Original

On consideration of the petition filed herein, It is now here ordered by the Court that cause be shown by the Honorable Edward R. Meek, United States District Judge for the Northern District of Texas, and the Circuit Court of the United States for the Northern District of Texas, before this Court at the City of Washington, on Monday, December 21st, 1908, at 12 o'clock

counsel can be heard, why the prayer of said petition should not be granted.

per Mr. Chief Justice Fuller.

253. St. Louis, Kansas City & Colorado Railroad Co., Appellant, vs. The City of St. Louis and Wabash Railroad Co.

It is ordered by the Court that the further consideration of of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

631. St. Louis, Kansas City & Colorado Railroad Co., Appellant, vs. The Wabash Railroad Co., and The City of St. Louis.

It is ordered by the Court that the further consideration of the petition for a writ of certiorari herein be, and the same is hereby, postponed to be heard with case No. 253.

per Mr. Chief Justice Fuller.

354. W. C. Rakes, Plaintiff in Error, vs. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 4, 1909 at the head of the call for that day.

W. E. Rakes,
235. vs. Plaintiff in Error,
The United States.

On consideration of the motion to admit the plaintiff in error to bail, It is now here ordered by the court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Delaware & Hudson Co.
116. vs.
The Albany & Susquehanna Railroad Company et al.

On consideration of the motion to advance this cause, It is now here ordered by the court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, February 23d, 1909, after the case heretofore assigned for that day.

per Mr. Chief Justice Fuller.

John A. Watson,
428. vs. Plaintiff in Error,
The State of Maryland.

On consideration of the motion to advance this cause, It is now here ordered by the court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

513. John T. Calder et al., Plaintiffs in Error, vs. The People of the State of Michigan ex rel. George E. Ellis et al. — On consideration of the motion for a writ of supersedeas herein and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied without prejudice to a renewal thereof on a change of status.

Per Mr. Chief Justice Fuller.

521. Adam T. Siler et al., Appellants, vs. Louisville & Nashville Railroad Co.

522. Adam T. Siler et al., Appellants, vs. Illinois Central Railroad Co.,

523. Adam T. Siler et al., Appellants, vs. Southern Railway in Kentucky

524. Adam T. Siler et al., Appellants, vs. Cincinnati, New Orleans, & Texas Pacific Railway Company. — On consideration of the motion to advance these causes, It is now here ordered by the Court that said motions be, and the same are hereby granted, and the causes assigned for argument as one case on Tuesday, February 23d, 1909, after the cases heretofore assigned for that day, and four hours' time is allowed each side for the argument.

625. W. J. Murray et al., constituting The State Dispensary Commission of South Carolina, et al., vs. Petitioners Wilson Distilling Company et al., vs. The Fleischmann Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted. It is further ordered that this cause be, and the same is hereby, advanced and assigned for argument on Tuesday, February 23d, 1909, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

603 W. J. Murray et al., as The State Dispensary Commissioners, Plaintiffs in Error, vs. The State of South Carolina ex rel. A. W. Ray, Trustee.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and

cause assigned for argument on Tuesday, February 23d, 1909, with cases No. 624 & 625.

per Mr. Chief Justice Fuller.

624. Chicago, Burlington & Quincy Railway Company, Petitioner, vs. Erastus W. Willard, Administrator of the estate of Harold R. Willman, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

625. John F. Klumpp, Joseph B. Bartleman & Charles J. Snyder, doing business under the firm name of Alex. Murphy & Co., Petitioners, vs. Wesley Thomas. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third

Monday, December 7th, 1908, Continued.

of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

97. Mammoth Mining Co. vs. Plaintiff in Error, Grand Central Mining Co. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William H. Dickson and Mr. Henry P. Henderson in support of the same, and Mr. R. N. Baskin, Mr. Charles J. Hughes, Jr. Mr. Everard Beirer, Jr., Mr. A. B. Browne and Mr. Alexander Britton in opposition thereto.

593. Christ Nielsen vs. Plaintiff in Error, State of Oregon. Mr. Samuel H. Piles in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

45. Franklin B. Lord et al., vs. Plaintiffs in Error. Martin A. Glynn, Comptroller, &c. Mr. Lucius H. Beers, of counsel for the plaintiffs in error, suggested the death of Franklin B. Lord,

moved the Court to make Lucius H. B
Henry de Forest Baldwin and Franklin
Lord, Jr., executors of the said Franklin
deceased, parties plaintiffs in error in
cause. Whereupon, It is now here order
the Court that the said Lucius H. Bal
de Forest Baldwin and Franklin B. Lo
executors of Franklin B. Lord, deceased
they are hereby, made parties plaintiffs
in this cause.

66 Expanded Metal Co., et al., vs. Eugene S. Bradford et al. Petitioners.

On motio
Mr. Ern
Howard
of counsel
petitioners, It is ordered by the Court th
cause be, and the same is hereby, passed
ject to the provisions of section 4 of rul

458 George Clough, vs. Grand Trunk Western Railway Company. Petitioner,

The petition fo
of certiorari he
was submitted
consideration
Court on prin
arguments by Mr. H. H. Hatch in supp
the same, and Mr. Harrison Geer in
tion thereto.

Ex parte: In the matter of J. A. Jones, Petitioner,

Mr. S. P. Jones, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein

221. E. E. Clevenger, Trustee &c. vs. Appellant, Allen Chaney

222. E. E. Clevenger, Trustee &c. vs. Appellant, James D. Lyle

223. E. E. Clevenger, Trustee &c. vs. Appellant, Emily M. Nichols.

The motion to dismiss or affirm herein was submitted to the consideration of the Court on the record in case No. 221 and printed arguments by Mr A. H. Mitchell in support of the same and Mr. E. E. Clevenger and Mr. Cook Dawford in opposition thereto. The petitions for writs of certiorari in these cases were submitted to the consideration of the Court on printed arguments by Mr. E. E. Clevenger and Mr. Cook Dawford in support of the same and Mr. A. H. Mitchell in opposition thereto

142. Timothy F. Paddell, Plaintiff in Error
vs.
The City of New York.

This cause was argued by Mr. Everett V. Abbot, of counsel for the plaintiff in error, and Mr. David Ramsey, of counsel for the defendant in error.

143. Southern Realty Investment Co., Plaintiff in Error
vs.
Nancy Walker.

The argument of this cause was commenced by Mr. Alex. C. King, of counsel for the plaintiff in error, and continued by Mr. Olin J. Wimberly, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Donald G. Perkins, it is ordered that Charles F. Thayer, Esquire, of Norwich, State of Connecticut, and Edmund W. Perkins, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. E. Olmsted, it is ordered that George Black Roddy, Esquire, of New Bloomfield, State of Pennsylvania, be ad-

counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Brantley, it is ordered that Alfred R. Kline, Esquire, of Moultrie, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marion Butler, it is ordered that Samuel T. Ansell, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Lancaster, it is ordered that John F. Carey, Esquire, of Escanaba, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

43. Southern Realty Investment Co. vs. Nancy Wasden. Plaintiff in Error. The argument of this cause was continued by Mr. Olin J. Wimberly, of counsel for the defendant in error, and concluded by Mr. Alex. C. King, of counsel for the plaintiff in error.

441.	B. H. Hardaway et al., Appellants, vs. National Surety Co.	The argument of this cause was commenced by Mr. Temple Bodley, of counsel for the appellants, continued by Mr. William H. Watts and Mr. Henry Fitts of counsel for the appellee, and concluded by Mr. John Bryce Baskin, of counsel for appellants.

Proclamation being made, the Court is adjourned

Wednesday, December 9th, 1903

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph C. Dodd, it is ordered that Charles D. Rice, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry D. Clayton, it is ordered that Oswald A. Rud, Esquire, of Lansing, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. A. J. McLaurin, it is ordered that Percy Bell, Esquire, of Greenville, State of Mississippi, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. A. B. Cummins, it is ordered that Charles Grilk, Esquire, of Davenport, State of Iowa, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. A. E. Crane, it is ordered that William S. Cline, Esquire, of Newkirk, State of Oklahoma, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Lucius N. Beers, et al., Executors, &c., vs. Plaintiffs in Error, Martin N. Glynn, Comptroller, &c., Defendant in error.

This cause was argued by Mr. Lucius N. Beers of counsel for the plaintiffs in error, and Mr. D. Cady Herriot, of counsel for the defendant in error.

118. Joseph A. Lemieux,
vs. Plaintiff in Error.
James M. Young, Trustee

The argu
this cau
commenc
Mr. John
of counsel for the plaintiff in error; con
by Mr. Donald Y. Perkins, of counsel
defendant in error; and concluded b
Charles F. Thayer, of counsel for the
in error.

49. Toy Toy,
vs. Appellant,
L. B. Hopkins,
U. S. Marshal &c.

appellee.

This cause was
by Mr. A. E. Lord
counsel for the
and Mr. Solicit
Hoyt, of counsel

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97 & 98. Decatur Morgan et al.,
vs. Plaintiffs in Error,
Charles H. Adams et al.

The argu
this caus
commenc
Mr. E. H
Jackson, of counsel for plaintiffs in er

Proclamation being made, the Court is
journed until tomorrow at ten o'clock

Thursday, December 6th, 1909

Pursuant to adjournment, the Court met to day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk,

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James R. Mann, it is ordered that Emanuel M. Beckerman, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry M. Goldfogle, it is ordered that Charles Lederer, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Thursday, December 10th. 1908, ea

On motion first made to the Court
behalf by Mr. W. F. Freer, it is order
Thomas B. Ridgway, Esquire, of Los A
State of California, be admitted to pra
as an attorney and counsellor of this
and he was sworn accordingly.

On motion first made to the Court
behalf by Mr. Charles A. Coulberson, it
dered that William S. Holman, Esq
Bay City, and W. L. Estes, Esquire, of
nu, State of Texas, be admitted to practic
torneys and counsellors of this Court,
they were sworn accordingly.

On motion first made to the Court
behalf by Mr. H. Winship Wheatley, it
dered that Frank E. Elder, Esquire,
Washington, District of Columbia, be
mitted to practice as an attorney and
sellor of this Court, and he was swor
cordingly.

On motion first made to the Court
behalf by Mr. Norris Brown, it is or
that Robert Hunter, Esquire, of Sioux
State of Iowa, be admitted to practice
attorney and counsellor of this Court, a
was sworn accordingly.

50 Decatur Morgan, etal, vs. Plaintiffs in Error. Charles H. Adams et al

The argument of this cause was continued by Mr. E. Hilton Jackson, of counsel for the plaintiffs in error, and Mr. J. J. Darlington and Mr. J. Herbert Gilkey, of counsel for the defendants in error, and concluded by Mr. E. Hilton Jackson of counsel for the plaintiffs in error.

51 Louisville & Nashville Railroad company, vs. Plaintiff in Error. Central Stock Yards Co.

The argument of this cause was commenced by Mr. Helm Bruce, of counsel for the plaintiff in error, and continued by Mr. Joseph C. Dodd, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court
day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
William A. Moody.
John M. Wright, Esquire,
James A. McKenney,

Proclamation being made, the Court is

On motion first made to the Court
behalf by Mr. Solicitor General Hoyt
ordered that Joseph R. Wilson, Esqu
Philadelphia, State of Pennsylvania,
mitted to practice as an attorney an
sellor of this Court, and he was swor
singly.

On motion first made to the Court
behalf by Mr. Henry L. Clayton, it is o
that George O. Shenault, Esquire, of M
State of Alabama, and Thomas C. Bu
quire, of Buffalo, State of New York, be a
to practice as attorneys and co

this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Kittredge, it is ordered that Theodore L. Herrmann, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

61. John D. Spreckels et al., vs. Charles A. Brown. Plaintiffs in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Mason W. Prosser and Mr. Robbins B. Anderson, of counsel for the plaintiffs in error, and by Mr. Charles A. Brown in propria persona.

51. Louisville & Nashville Railroad Company, vs. Central Stock Yards Co. Plaintiff in Error. The argument of this cause was continued by Mr. Joseph Bell, of counsel for the defendant in error, and concluded by Mr. Helm Bruce, of counsel for the plaintiff in error.

W. A. Gaines & Co.,
vs. Plaintiff in Error.
C. A. Knecht & Son.

This cause
gued by Mr
L. Hopkins, c
sel for the pl
in error, and Mr. Arthur E. Wallace, of
for the defendant in error.

No. 551.

Oscar W. Reid,
Plaintiff in Error
vs.
The United States.

On motion of
licitor General
leave is hereb
ed to file the
the Judge Advocate-General of the army
as amicus curiae

No. 552.

Oscar W. Reid,
Plaintiff in Error,
vs.
The United States.

The argument
cause was con
by Mr. Chase
of counsel for
plaintiff in error, and continued by Mr
or General Hoyt, of counsel for the defe
in error.

(Proclamation being made the Court is adj
until Monday next at twelve o'c

Monday, December 14th, 1908

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Augustus O. Bacon, it is ordered that Joseph T. Hill, Esquire, of Cordele, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Hitz, it is ordered that William T. Doyle, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

315. Edward H. Harriman. vs. Appellant. The Interstate Commerce Commission.

316. Wm. F. Kahn, vs. Appellant. The Interstate Commerce Commission.

The Interstate Commerce Commission, vs. Appellant. Edward H. Harriman.

Appeals f
Circuit C
the United
for the So
District
New Y

This cause came on to be heard on t
script of the record from the Circui
of the United States for the Southern
of New York, and was argued by co
On consideration whereof, It is now
dered, adjudged and decreed by thi
that so much of the order of the Cir
cuit Court in this cause as is appeal
by Harriman and Kahn be, and the
is hereby, reversed, and so much of sa
as is appealed from by The Interst
merce Commission be, and the same
affirmed, costs in this Court to be pai
Interstate Commerce Commission; and
this cause be, and the same is hereby,
ed to the said Circuit Court with a dir
to dismiss the petition.

Dissenting:
Mr. Justice Day
Mr. Justice Harlan
Mr. Justice McKenna
in Nos. 315 & 316.
Dissenting in No. 317:
Mr. Justice Harlan.
(Mr. Justice Moody, not having been present at the argument, took no part in the decision.)

447. Clinton J. Hutchins, Trustee, vs. William W. Burice, Limited. Appellant, Appeal from the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Holmes.

286. The United States, Plaintiff in Error, vs. F. W. Keith & Arie Keith. Frank P. Fayette. In Error to the District Court of the United States for the District of Colorado.

transcript of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity to the opinion of this Court.

Per Mr. Justice White.

The United States, Plaintiff in Error, vs. Charles E. Hewit. In Error to the District Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice White.

290. The United States, Plaintiff in Error, vs. Robert Forrester, Benjamin N. Truman, Otis B. Spencer et al. In Error to the District Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity to the opinion of this Court.

Per Mr. Justice White.

291. The United States, Plaintiff in Error, vs. Charles E. Kerr and George C. Franklin. In Error to the District Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said

same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity to the opinion of this Court.

Per Mr. Justice White.

The Chief Justice announced that the Court will take a recess from Monday, the 21st instant, to Monday, January 4th, 1909.

Mammoth Mining Co.,
vs. Plaintiff in Error,
Grand Central Mining Co. et al.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

George Clough,
vs. Petitioner,
Grand Trunk Western Railway Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

593. Christ Nielsen,
vs.
The State of Oregon.

Plaintiff in Error.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 15, 1906.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of J. A. Jones,
Original Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

592. W. A. Gaines & Company,
vs.
C. A. Knecht & Son.

Plaintiffs in Error.

In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

E. E. Clevenger, Trustee in bankruptcy of Theodore Neff, bankrupt,
vs. Appellant.
Allen Chaney.

Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

E. E. Clevenger, Trustee in bankruptcy of Theodore Neff, bankrupt,
vs.
Allen Chaney.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

E. E. Clevenger, Trustee in bankruptcy of Theodore Neff, bankrupt.
vs.
James D. Tate

Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

222.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

E. E. Clevenger, Trustee in bankruptcy of Theodore Neff, bankrupt.
vs.
James D. Tate

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

223.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

E. E. Clevenger, Trustee in bankruptcy of Theodore Neff, bankrupt, vs. Emily M. Nichols. Appellant, Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

E. E. Clevenger, Trustee in bankruptcy of Theodore Neff, bankrupt. vs. Emily M. Nichols. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

John S. Ford, Collector of Internal Revenue for the Philippine Islands. vs. Plaintiff in Error. J. Caetanoras. — In Error to the Supreme Court of the Philippine Islands.

This cause having been called to the attention of the court by Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

612. Morris F. Fraley, vs. Plaintiff in Error. Bach Fur Company of Illinois. — Mr. Henry M. Hoyt, in behalf of counsel for the plaintiff in error, submitted to the Court a motion to advance this cause.

Chicago, St. Paul, Minneapolis & Omaha Railway Company, vs. Petitioners. The United States. — The petition for a writ of certiorari herein was submitted to the consideration of the court on printed arguments by Mr. Thomas

or General Hoyt and Mr. Assistant to the Attorney General Ellis in opposition thereto.

52. Oscar W. Reid, vs. Plaintiff in Error. The United States.

The argument of this cause was continued by Mr. Solicitor General Hoyt, of counsel for the defendant in error, and concluded by Mr. Chase Mellen, of counsel for the plaintiff in error.

53. Albert H. Rusch, vs. Plaintiff in Error, John Duncan Land & Mining Company.

This cause was argued by Mr. C. A. Reed, of counsel for the plaintiff in error, and Mr. J. F. Carey, of counsel for the defendant in error.

57 & 69. The New York Central & Hudson River Railroad Co., vs. Plaintiff in Error. The United States.

The argument of these cases was commenced by Mr. Austin G. Fox, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at

Tuesday, December 15th, 1908.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White Associate
Rufus W. Peckham Justices
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk,

Proclamation being made the Court is opened.

The New York Central & Hudson River Railroad Co., vs. Plaintiff in Error, The United States. 5736

The argument of these cases was continued by Mr. Austen G. Fox and Mr. John D. Lindsay, of counsel for the plaintiffs in error, and Mr. Henry L. Stimson, of counsel for the defendant in error.

Proclamation being made, the Court is ad-

Wednesday, December 16th, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William Alden Smith, it is ordered that William A. Robinson, Esquire, of Saginaw, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph O. Sullivan, it is ordered that Joseph O. Proctor, Jr., Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. Oscar W. Underwood, it is ordered that Arthur L. Brown, Esquire, of Birmingham, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. James R. Mann, it is ordered that Roger Sherman, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

509. Oceanic Steam Navigation Co., Limited, vs. Plaintiff in Error, Nevada N. Strawhan

510 & 511. International Mercantile Marine Co., Plaintiff in Error, Nevada N. Strawhan

On motion of Mr. William L. Choate, of counsel for the plaintiffs in error, It is ordered by the Court that these cases be, and they are hereby re-assigned for argument on Monday, January 11, 1909.

57 & 69. The New York Central & Hudson River Railroad Co., vs. Plaintiff in Error. The United States.

The argument of these cases was continued by Mr. Henry L. Stimson of counsel for the defendant in error, and concluded by Mr. Austen G. Fox, of counsel for the plaintiff in error.

285 The United States, vs. Plaintiff in Error, The New York Central & Hudson River Railroad Co.

This cause was argued by Mr. Henry L. Stimson of counsel for the plaintiff in error, and Mr. Austen G. Fox, of counsel for the defendant in error.

288 The United States, vs. Plaintiff in Error, Charles A. Freeman et al.

289. The United States, vs. Plaintiff in Error, Edgar M. Biggs et al.

290. The United States, vs. Plaintiff in Error, Alexander T. Ullenberger et al.

The argument of these cases was commenced by Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, and continued by Mr. Clyde C. Dawson, of counsel for the defendants in error in Nos. 288 and 289.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph Holt Gaines, it is ordered that Ephraim Higginbotham, Esquire, of Charleston, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

288 The United States, Plaintiff in Error,
vs.
Charles A. Freeman et al.

289 The United States, Plaintiff in Error,
vs.
Edgar M. Bigge et al.

290 The United States, Plaintiff in Error,
vs.
Alexander S. Dillenberger et al.

The argument of these cases was continued by Mr. Charles J. Hughes, Jr., of counsel for the defendants in error in Nos. 288 and 289; Mr. Attorney General Bonaparte of counsel for the plaintiff in error, and Mr. Edmund F. Richardson, of counsel for the defendants in error in No. 290, and concluded by Mr. Solicitor General Hoyt, of counsel for the plaintiff in error.

351 Green County, Kentucky, Petitioner
vs.
Mary Amis Quinlan, Executrix &c.

352 Green County, Kentucky, Petitioners
vs.
John Thomas' Executor, et al.

The argument of these cases was commenced by Mr. Ernest Macpherson, of counsel for the petitioners.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Friday, December 18th, 1903.

Pursuant to adjournment, the Court met today, at the Capitol,

Present:

The Honorable John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that Isidor Ziegler, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Otis Kirchner, it is ordered that Edwin Denby, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on
behalf by Mr. Asa P. French, it is or
that Henry W. Dunn, Esquire, of Bo
State of Massachusetts, be admitted t
hei as an attorney and counsellor of
Court, and he was sworn accordingly

On motion first made to the Court on
behalf by Mr. Rassa F. Downing it is
that Harry A. Hegarty, Esquire, of Wa
District of Columbia, be admitted to p
as an attorney and counsellor of this C
and he was sworn accordingly.

On motion first made to the Court on
behalf by Mr. E. F. Trabue, it is ordered
Lunsdelot Packer, Esquire, of Washingto
trict of Columbia, be admitted to practi
an attorney and counsellor of this Court
he was sworn accordingly.

On motion first made to the Court on
behalf by Mr. R. E. L. Mountcastle, it is
that John Bell Keble, Esquire, of Nash
State of Tennessee, be admitted to practi
an attorney and counsellor of this Court,
he was sworn accordingly.

On motion first made to the Court on
behalf by Mr. Henry M. Fuller, it is ordered
that James A. Fuller, Esquire, of

of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Townsend, it is ordered that Byron D. Waite, Esquire, of Yonkers, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

394. The United States, vs. Petitioner, Charles R. Ernest et al. This cause was submitted to the consideration of the Court on the recent and printed argument by Mr. Solicitor General Hoyt, of counsel for the petitioner, No counsel appeared for the respondent.

351. Green County, Kentucky, vs. Petitioner Mary Amis Duncan, Executrix &c.

352. Green County, Kentucky, vs. Petitioner John Thomas' Executor et al.

The argument of these cases was continued by Mr. Ernest Macpherson, of counsel for the petitioner, and Mr. George Du Relle and Mr. Edmund F. Trabue, of counsel for the respondents, and concluded by Mr. Ernest Macpherson, of counsel for the petitioner.

1114. Louis Knop et al., vs. Appellants, The Monongahela River Consolidated Coal & Coke Co.

This cause was argued by Mr. E. Howard McCaleb, Jr., of counsel for the appellants, and Mr. Charles A. Rice, of counsel for the appellee.

362. The United States, vs. Petitioner, John W. Dickenson.

It is ordered by the Court that this cause be, and the same is hereby re-assigned for argument on Monday, January 11th, 1909, after the cases heretofore assigned for that day.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that William L. Day, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward C. Goodwin, it is ordered, Frederick W. Eaton, Esquire, of Concord, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday, December 21st, 1908, continued.

On motion first made to the Court in this behalf, by Mr. Edward A. Moseley, it is ordered that Walter H. Barney and Thomas Jamslaun Lee, Esquires, of Providence, State of Rhode Island, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Culberson, it is ordered that W. L. Hall, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

36. Lillian S. Butler, Plaintiff in Error, vs John D. Frazer. In Error to the Court of Appeals of the District of Columbia. 538.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody.

Timothy F. Paddell, Plaintiff in Error. vs. The City of New York. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Alonzo Bailey, Plaintiff in Error. vs. The State of Alabama. In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Harlan and
Mr. Justice Day.

Monday, December 21st, 1908, s

L. L. McLoudless, In Error t
vs. Plaintiff in Error. Supreme Co
James W. Pratt, Commissioner Territory
of Public Lands of the Territory Hawa
of Hawaii.

This cause came on to be heard on the re
of the record from the Supreme Court of
Territory of Hawaii, and was argued b
sel. On consideration whereof, It is no
ordered and adjudged by this Court th
writ of error in this cause, be, and the
hereby, dismissed with costs.

Per Mr. Justice McK

William McCorquodale, In Error to
vs. Plaintiff in Error. Court of Cr
The State of Texas. Appeals of
of Texas.

This cause came on to be heard on the
script of the record from the Court of C
al Appeals of the State of Texas, and
argued by counsel. On consideration
It is now here ordered and adjudged b
Court that the writ of error in this cause
the same is hereby dismissed for the want
jurisdiction

Per Mr. Justice McKen

612. Morris F. Pfaelzer, vs. Plaintiff in Error. Buck Fur Co. of Illinois

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted as under the 32d Rule, to be submitted on printed briefs

per Mr. Chief Justice Fuller

653 Joseph Keller. vs. Plaintiff in Error. The United States.

654 Louis Ullman. vs. Plaintiff in Error. The United States.

Mr. Solicitor General Hoyt, in behalf of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance these cases.

197 Mathew Scully. vs. Plaintiff in Error. Louis Dejnier et al.

The motion to dismiss herein was submitted to the consideration of the Court on the record and printed arguments by Mr. James A. Forney in support of the same, and Mr. A. Winship Wheatley in opposition thereto

Monday, December 21st, 1908, con

James F. Montgomery,
Managing Owner &c. et al,
vs. (Petitioners
C. W. Chatfield, Master &c.

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Court on printed arguments by Mr.
W. Eaton, Mr. E. E. Blodgett and Mr.
Bickford in support of the same, and
Robert M. Hughes and Mr James F
Jr., in opposition thereto.

Buenaventura i Ybarnategui
vs. Plaintiff in Error.
Jacinto Lorenzo Laborde et al.

On m
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granted to withdraw the appearance
Francis H. Dexter and Frederic D. M
as counsel for the plaintiff in error her

Burns Line, Limited,
vs Petitioner
United States and Australasia
Steamship Company.

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ation of the Court on printed argumen
Mr. J. Parker Kirlin and Mr. Charle
Hickox in support of the same, and
Harrington Putnam in opposition th

650 Delaware Seamless Tube Company et al., vs. Shelby Steel Tube Company. Petitioners

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles K. Offield in support of the same, and Mr. Thomas W. Bakewell and Mr. L. A. Bacon in opposition thereto.

68 Samuel B. Hartman, vs. John D. Park & Sons Co. Petitioner.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

It appearing to the Court that a motion by counsel for petitioner to dismiss the writ of certiorari in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of certiorari in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Proclamation being made, the Court is adjourned

Monday, January 11th, 1909.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. C. Floyd, it is ordered that William T. Wooldridge, Esquire, of Pine Bluff, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Asa P. French, it is ordered that John P. Leahy, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday, January 11th, 1909. Continued.

On motion first made to the Court in this behalf by Mr. Frank H. Hackett, it is ordered that Sheldon A. Tolles, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert N. McCarter, it is ordered that Chandler W. Riker, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. M. Stockslager, it is ordered that Theodore Edwin Macklin, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington, it is ordered that Edward G. Spilman, Esquire, of Guthrie, State of Oklahoma, R. Walton Moore and John S. Barbour, Esquires, of Fairfax, and Aubrey E. Strode, Esquire, of Amherst, State of Virginia, be admitted to practice as

they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Andrew A. Caldwell, Esquire, of Galveston, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Mayor and Aldermen of the City of Knoxville, Appellant, vs. Knoxville Water Company. Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill without prejudice.

Per Mr. Justice Moody.

53. Edward Murphy, Jr. d. vs. John Hofman Company. In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Moody.

39. E. J. Page and Robert Markert, Executors of Thomas Merriam, deceased, vs. H. F. Rogers, Trustee of J. B. Merriam, bankrupt. Appellants, Appeal from the United States Circuit Court of Appeals for the Sixth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered

that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed at the costs of the appellants; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Tennessee with directions to take proceedings in conformity with the opinion of this Court.

Per Mr. Justice Moody

Upon Comity, Kentucky, vs. Petitioner, Mary Annis Quinlan, Executrix of the last will & testament of Leonard D. Quinlan deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, modified so as to require the Circuit Court to ascertain what coupons are barred by the statute of limitations and to enter judgment for the remainder, and for the principal of the bonds, with interest

modified, be and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Western District of Kentucky.

Per Mr. Justice Moody.

Dissenting:
Mr. Justice Harlan.

382. Green County, Kentucky, Petitioner, vs. John Thomas' Executor, Henry Knippenberg et al. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Kentucky.

Per Mr. Justice Moody.

Dissenting: Mr. Justice Harlan.

John M. Lean, In Error to the
34 vs. Plaintiff in Error, Supreme Court of
The State of Arkansas. the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

Dissenting:
Mr. Justice Brewer and
Mr. Justice Peckham.

B. N. Hardaway and R. C. Appeal from the
Crowell, doing business as United States Circuit
Hardaway & Crowell: Court of Appeals for
44 vs. Appellants, the Sixth Circuit.
National Surety Company.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals,

affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Kentucky.

per Mr. Justice Day.

552. Oscar W. Reid, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Holmes.

57. Albert H. Rusch, Plaintiff in Error, vs. John Duncan Land and Mining Company. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court

Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

396. William R. Willcox et al. constituting the Public Service Commission of the State of New York for the First District, vs. Appellants, Consolidated Gas Company of New York.

397. The City of New York, vs. Appellant, Consolidated Gas Company of New York.

398. William S. Jackson, as Attorney General of the State of New York, vs. Appellant. Consolidated Gas Company of New York.

Appeals from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and it

and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill without prejudice.

Per Mr. Justice Peckham.

Joseph A. Lemieux, Plaintiff in Error, vs. James M. Young, Trustee. In Error to the Supreme Court of Errors of the State of Connecticut

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

Alexander Miller, Plaintiff in Error vs. The New Orleans Acid and Fertilizer Co., The Canadian County Mill and Elevator Co, The Morris McGraw Wooden Ware Co, and William J. Landry, Trustee in bankruptcy of O. Guillory & Co. In Error to the Supreme Court of the State of Louisiana.

script of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

287. The United States, Plaintiffs in Error, vs. Edgar M. Biggs, Charles H. Truman, Charles D. McPhee, and John J. McGinnity. In Error to the District Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice White.

288. The United States, Plaintiffs in Error, vs. Charles H. Truman, Edgar M. Biggs and Welch W. Rossman. In Error to the District Court of the United States for the District of Colorado.

This cause came on to be heard

Monday, January 4th, 1909, continued.

script of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice White.

The United States, Plaintiff in Error, vs. Alexander T. Ullenberger, James S. Hatcher, Ellis M. Hampton et al.

In Error to the District Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that that the judgment of the said District Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice White.

Lucius H. Beers, Henry de Forest Baldwin and Franklin B. Lord, Jr., Executors of the last will and testament of Franklin B. Lord, deceased, and William B. Lord,

vs. Plaintiffs in Error.

Martin H. Glynn, Comptroller of the State of New York.

In Error to the Surrogates' Court of the County of New York, State of New York.

115.

This cause came on to be heard on the transcript of the record from the Surrogates' Court of the County of New York, State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Surrogates' Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

Louis Knop and Joseph L. Rock, individually and as Gaugers of Coal & Coke.

vs Appellants,

The Monongahela River Consolidated Coal & Coke Co.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

144.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

Monday, January 4th, 1909 continued:

of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brewer.

El Paso & Southwestern Railroad Company, Plaintiff in Error, vs. W. D. Lizard

In Error to the United States Circuit Court of Appeals for the Fifth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Texas.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice White and
Mr. Justice McKenna.

Southern Realty Investment Company,
Plaintiff in Error,
vs.
Nancy Warren.

In Error t
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Georgia

This cause came on to be heard on th
script of the record from the Circuit Co
the United States for the Southern D
of Georgia, and was argued by couns
consideration whereof, It is now her
and adjudged by this Court that the
ment of the said Circuit Court, in th
be, and the same is hereby, affirmed
per Mr. Justice Ha

Dissenting:
Mr. Justice Brewer.

167. The People of the State of New York ex rel. Abraham Kopel,
Plaintiff in Error,
vs.
Theodore A. Bingham, Police Commissioner of the City of New York.

In Error
Supreme
of the Sta
of New Y

This cause came on to be heard on the t
script of the record from the Supreme C
of the State of New York, and was argue
counsel. On consideration whereof, It is
ordered and adjudged by this Court that
judgment of the said Supreme Court

cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

1177. Mathew Scully, Plaintiff in Error, vs. Louis Dejnier et al. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

625. The United States, Petitioner, vs. The Standard Oil Co., a corporation organized and existing under the laws of the State of Indiana. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

631	The Chicago, St. Paul Minneapolis & Omaha Railway Company et al, vs. The United States. Petitioners	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

641	John F. Montgomery, Managing Owner of the Schooner "Eagle Wing" and T. B. Morgan, Master and Claimant of said Schooner, vs. C. W. Chatfield, Master of the Schooner "R. & T. Hargraves." Petitioners.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is

Monday, January 11th, 1909, continued.

petition be, and the same is hereby, denied.
Per Mr. Chief Justice Fuller.

Delaware Seamless Tube Company et al., Petitioners vs. Shelby Steel Tube Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.
Per Mr. Chief Justice Fuller.

Burn Line Limited, Petitioner, vs. The United States & Australasia Steamship Company. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered

the same is hereby, denied.

per Mr. Chief Justice Fuller.

653. Joseph Keller, Plaintiff in Error, vs. The United States.
654. Louis Ullman, Plaintiff in Error, vs. The United States.

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument on Tuesday, February 23d next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

238. The Chicago & Alton Railway Company, Petitioner, vs. The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit and was argued by counsel. On consideration whereof the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District

Court of the United States for the Northern District of Illinois.

per Mr. Chief Justice Fuller.

John N. Faithorn, Petitioner, vs. The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed, and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois.

per Mr. Chief Justice Fuller.

Fred A. Wann, Petitioner vs. The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United

Seventh Circuit, and was argued by
On consideration whereof, The Cour
Equally divided in opinion, It is m
ordered and adjudged by this Court
the judgment of the said United Sta
cuit Court of Appeals, in this cause,
the same is hereby affirmed; and the
cause be, and the same is hereby, rem
to the District Court of the United S
for the Northern District of Illinois.
—per Mr. Chief Justice Fu

(People of the State of New York, Complainant,
Original. vs.
The State of New Jersey et al.

The
for le
the U
States

tervene herein was submitted to the co
tion of the Court by Mr. Attorney Gene
Bonaparte and Mr. Hugh L Gordon Ma
in support of the same; with leave to M
Robert H. McCarter, of counsel for the def
to file objections thereto within one wee

No. 17

The United States ex rel. the
Attorney General of the United States,
vs. Plaintiff in Error.
The Delaware & Hudson Co and
(Nos. 560, 561, 562, 563, and 564)
Same Plaintiff in Error
vs
Various Railroad Companies

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563. The United States of America, vs. Appellant. The Delaware & Hudson Co and Nos 566, 567, 568, 569 & 570 Same Appellant vs. Various Railroad Companies

It is ordered by the Court that these cases be, and they are hereby re-assigned for argument on Monday, the 18th instant, after the cases heretofore assigned for that day.

583. Henry Schodde, vs Petitioner Twin Falls Land & Water Company.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. R. Webster in support of the same, and Mr. Edward B. Critchlow in opposition thereto.

652. James Hamilton Lewis et al, vs. Petitioners, The Alton Water Company.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. James Hamilton Lewis and Mr. Elijah N. Zoline in support of the same, and Mr. John S. Runnells and Mr. William Burry in opposition thereto.

613. Smithsonian Institution et al, Petitioners vs. Hamaliel C. St. John as executor and trustee, &c., et al. The mo to dismi affirm was sub to the co

motion of the Court on an agreed record a printed arguments by Mr. James W. Hawe Mr. Henry Wollman, Mr. Virgil P. Kline, S. A. Tolles, Mr. William S. Jackson, Mr. F Nathan and Mr. Henry M. Earle in su of the same, and Mr. Frank W. Hackett Mr. Edmund Wetmore in opposition th

658. John N. Shackelford vs. Elwood D. Fulton. The petition for writ of certiora herein was subm to the considera

of the Court by Mr. Robert H. Linn in supp of the same.

Original. People of the State of New York, Complainant, vs. The State of New Jersey et al. On motio Mr. Rober McCarter counsel f

defendants, leave is hereby granted to file t answer of the defendants here

Monday, January 4th, 1904, continued.

79.	Bessie E. Stepp, Joseph N. Stepp, John H. Stepp et al., vs. The Chicago, Rock Island & Pacific Railway Company, Appellants,	Appeal from the Circuit Court of the United States for the Western District of Missouri.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

251.	Cumberland Telephone & Telegraph Company, vs. City of Louisville, Kentucky, Appellant,	Appeal from the Circuit Court of the United States for the Western District of Kentucky.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

296. H. V. Mercer, John Crosby, & A. Schaffer, Trustees in bankruptcy of The Western Implement Company, vs. Appellants. Andrew G. Dunlop, Trustee in bankruptcy of The Waterbury-Zimmer Implement Co., bankrupt.

Appeal
United
Circuit Co
-peals for
Circuit

It appearing to the Court that a stip
of counsel for the respective parties
this appeal has been filed, Therefore
stance of said stipulation, it is ord
dered, adjudged and decreed by th
that this appeal be, and the same
dismissed.

Per Mr. Chief Justice

100. John R. Greenameyer, Appellant, vs. Isaac C. Coate.

This cause
mitted to
pursuant
20th Rule,
record and printed arguments by W
W. Adams, of counsel for the appellant,
William B. Cline, of counsel for the ap

R. Flores Magon, Antonio I. Villareal and Librado Rivera, Appellants,
375. vs.
The United States.

Appeal from the Circuit Court of the United States for the Southern District of California.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller

The Clay Center Light & Power Company, Plaintiff in Error
630. vs.
The City of Clay Center et al.

The motion to dismiss herein was submitted to the consideration of the Court on a printed argument by Mr. A. E. Cornell in support of the same, and objections to the consideration of this motion were submitted by Mr. C. C. Coleman and Mr. Frank L. Williams, of counsel for the plaintiff in error.

25 | W. E. Raker, Plaintiff in Error, vs. The United States. | This cause was argued by Mr. Waller R. Staples, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Fowler, of counsel for the defendant in error.

362 | The United States, Petitioner, vs. John W. Dickinson | The argument of this cause was commenced by Mr. Asa P. French, of counsel for the petitioner.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Tuesday, January 5th, 1909.

Pursuant to adjournment the Court met to-day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Bonaparte it is ordered that Benjamin A. Stites, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Albert R. Moore, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an

he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Fuller, it is ordered that Bertrand L. Pettigrew, Esquire, of New York, City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Huston it is ordered that John Devereux, Esquire, of Guthrie, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

362 The United States, Petitioner vs. John W. Dickinson

The argument of this cause was continued by Mr. Asa P. French, of counsel for the petitioner, and Mr. Henry W. Dunn, of counsel for the respondent, and concluded by Mr. Attorney General Bonaparte of counsel for the petitioner.

35. Charles A. Moyer, Plaintiff in Error, vs. James A. Peabody et al.

The argument of this cause was commenced by Mr. Edmund F. Richardson, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow, at twelve o'clock.

Wednesday, January 6th, 1904.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Charles W. Thomas, Jr., Esquire, of Woodland, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank P. Flint, it is ordered that Oscar Lawler, Esquire, of Los Angeles, State of California, be admit-

sellor of this Court, and he was sworn accordingly.

No. 55. Charles H. Moyer, Plaintiff in Error, vs. James H. Peabody et al. The argument of this cause was continued by Mr. Edmund F. Richardson, of counsel for the plaintiff in error, and Mr. Horace Phelps, of counsel for the defendants in error, and concluded by Mr. Edmund F. Richardson, of counsel for the plaintiff in error.

No. 56. The Texas & Pacific Railway Company, Plaintiff in Error, vs. Jonas S. Bowman. The argument of this cause was commenced by Mr. Charles Payne Fenner, of counsel for the plaintiff in error, and continued by Mr. A. B. Browne, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Thursday, January 7th, 1904.

Pursuant to adjournment the Court met to-day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Kittredge, it is ordered that George A. Jeffers, Esquire, of Pierre, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

436. The United States, Appellant. vs. Edward E. Warner. This cause was submitted to the consideration of the Court pursuant to the 20th Rule, on the record and printed argument by Mr. Assistant Attorney General John K

counsel for the appellant, and Mr. C. C. Lancaster, of counsel for the appellee.

No. 16. The Texas & Pacific Railway Company, vs. Plaintiff in Error, Jonas S. Bowman.

The argument of this cause was continued by Mr. A. B. Browne, of counsel for the defendant in error, and concluded by Mr. Charles Payne Fenner, of counsel for the plaintiff in error.

No. 17. The Standard Oil Co., vs. Petitioner, Edward Anderson.

This cause was argued by Mr. Charles W. Fuller, of counsel for the petitioner, and Mr. Bertrand L. Pettigrew, of counsel for the respondent.

No. 11. Ontario Land Company, vs. Plaintiff in Error, Jay Yordy et ux.

This cause was argued by Mr. A. L. Aplin, of counsel for the plaintiff in error, and Mr. B. S. Grosscup, of counsel for the defendant in error.

Priscilla Bradford, Appellant, vs. Robert E. Morrison. This cause was argued by Mr. E. M. Sanford, of counsel for the appellant, and submitted on a printed argument by Mr. Robert E. Morrison in *propria personæ*.

Proclamation being made, the Court is adjourned

Friday, January 8th, 1909.

Pursuant to adjournment, the Cou
today, at the Capitol.

Present.

The Honorable Melville W. Fuller, Chie
John M. Harlan
David J. Brewer.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
William H. Moody.
John W. Wright, Esquire, M
James H. McKenney, C

Proclamation being made, the Court is o

On motion first made to the Court in
behalf by Mr. W. B. C. Brown, it is or
that Clarence A. Barnes, Esquire, of M
State of Missouri, be admitted to pra
an attorney and counsellor of this Cour
he was sworn accordingly.

62. Waters-Pierce Oil Co., vs. Plaintiff in Error, Albert B. Deckner.

This cause
and by Mr
W. Shurtle
sel for the
in error, and Mr. A. A. Huston and Mr.
Devereux, of counsel for the defendant in

63. The United States, Plaintiff in Error, vs. Robert Powell. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Attorney General Bonaparte and Mr. Assistant Attorney General Fowler, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

64. Atchison, Topeka & Santa Fe Railway Co. vs. George A. Service. This cause was argued by Mr. Andrew A. Caldwell, of counsel for the plaintiff in error, and Mr. Harry Skyton, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Monday, January 11th, 1904.

Pursuant to adjournment, the Court met today at the Capitol.

(Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. Lott, it is ordered that Charles Marron Fickert, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Vincent P. Donihee, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday, January 11th, 1909, continued.

Decatur Morgan and
Jennie G. Morgan,
vs Plaintiffs in Error. In Error to the
Court of Appeals of
the District of
Columbia.
Charles H. Adams, Frank
H. Adams and Carrie M. Adams.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice McKenna.

The Missouri Pacific
Railway Company,
vs. Plaintiff in Error. In Error to
the Supreme
Court of the
State of Kansas.
The Larabee Flour Mills Co.,
a partnership composed of
T. D. and T. S. Larabee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the

Per Mr. Justice Br

Dissenting:
Mr. Justice Moody and
Mr. Justice White.

Smithsonian Institution et al.,
vs. Plaintiffs in Error,
Samuel C. St. John, as Executor
& Trustee, &c., et al.

(No. [illegible].)

It is
by th
that
er co
tion

motion to dismiss or affirm in the
be, and the same is h
postponed until the hearing of the
the merits.

Per Mr. Justice Ha

(The Chief Justice did not participate
decision of this motion).

Henry Schodde,
vs. Petitioner,
Twin Falls Land &
Water Company.

583.

On petition for
certiorari to the
States Circuit C
of Appeals for th
Circuit.

On consideration of the petition for a
certiorari herein to the United State
cuit Court of Appeals for the Ninth Ci
and of the argument of counsel there
had, as well in support of as against
It is now here ordered by the Court tha
petition be, and the same is hereby, g

Per Mr. Chief Justice

652 James Hamilton Lewis et al., vs. The Alton Water Company, Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

655 John N. Shackelford, vs. Elwood D. Fulton, Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Clay Center Light & Power Company,
vs. Plaintiff in Error,
The City of Clay Center et al.

In Error
Supreme
the State

This cause came on to be heard on the
script of the record from the Supreme
of the State of Kansas, and on a mo
dismiss which was argued by coun
consideration whereof, It is now he
and adjudged by this Court that th
of error in this cause be, and the sam
hereby, dismissed for the want of juris

Per Mr. Chief Justice

The United States,
vs. Plaintiff in Error,
Robert Powell.

In Error to
cuit Court o
United Stat
Northern Di

Alabama.

This cause came on to be heard on the
script of the record from the Circuit C
the United States for the Northern Distri
Alabama, and was argued by counsel. O
sideration whereof, It is now here order
adjudged by this Court that the judg
of the said Circuit Court in this cause
the same is hereby, affirmed.

Per Mr. Chief Justice

(Mr. Justice Moody did not sit in th
cuit).

167.	The People of the State of New York ex rel Abraham Kopke, vs. Plaintiff in Error. Theodore A. Bingham, Police Commissioner, etc.	On motion of Mr. Henry M. Hoyt on behalf of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.
626.	William Hepner. vs. The United States.	On motion of Mr. Assistant to the Attorney General Ellis, of counsel for the United States, It is ordered by the Court that this cause be and the same is hereby advanced as under the 33d Rule.
626.	William Hepner, vs. The United States.	This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant to the Attorney General Ellis, of counsel for the United States. No brief was filed on behalf of Hepner.

219.	Columbia Heights Realty Co., vs. Plaintiff in Error, Henry B. F. Macfarland et al., Commissioners, &c.	Mr. L... mone... sel fo... pleni... error, ...

to the consideration of the Court a mo... advance this cause.

146.	The Western Union Telegraph Co., vs. Appellant. O. K. Andrews et al. Oswald C. Ludwig, Secretary of State, &c.,	Mr. Rus... of Counse... Telegrap... submitte... consider... the Cou... to adva... cause fo...
233.	vs. Appellant. The Western Union Telegraph C...	

ment with case No. 118.

665	The Williamsburgh City Fire Insurance Company of Brooklyn, New York, vs. Petitioner Leon Willard, &c.	The petit... a writ o... rari here... submitted ... consider... the Court...

printed arguments by Mr. T. C. Van Ne... Mr. Joseph H. Choate in support of the ... and Mr. E. S. Pillsbury in opposition t... and leave was granted Mr. J. F. Bow... file a printed argument in opposition ... petition on behalf of the Norwich Union ... new company holding [illegible]

645	William M. Brown vs. John F. Hoyt, U. S. Marshal.	The motion for a writ of supersedeas and to admit the appellant to bail in this cause was submitted

to the consideration of the Court on printed arguments by Mr. F. C. Bryan in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

659	George E. Babcock, et al., vs. Anna M. DeWolf et al.	The petition for a writ of certiorari herein was submitted to the con

sideration of the Court by Mr. Million Brown in support of the same.

664	J. N. Bean et al., vs. W. A. Morris et al.	The petition for a writ of certiorari herein was submitted to the considera

tion of the Court by Mr. T. J. Walsh in support of the same, and leave was granted counsel for the respondents to file a brief in opposition thereto within four days.

Original	People of the State of New York, vs. The State of New Jersey et al.	On motion of Mr. Solicitor General Hoyt, leave

reply to the brief of the defendants fil
in opposition to the petition of the U
States for leave to intervene in this

Ex parte: In the matter of
Mary Dunn, etc., et al.,
10 Original Petitioners.

The petitioners, and Mr. Ruch Ta
counsel for the respondent:

The Western Union Telegraph Co.,
vs. Plaintiff in Error,
Sid Wilcox.

for the plaintiff in error, and sub
printed argument by Mr. James R.
of counsel for the defendant in erro

Oceanic Steam Navigation Co.,
Limited,
504 vs. Plaintiff in Error.
Nevada N. Strawbridge.

The International Mercantile
Marine Co.,
505/511 vs. Plaintiff in Error.
Nevada N. Strawbridge.

Mr. Assistant to the Attorney General
counsel for the defendant in error.

Proclamation being made the Court

Tuesday, January 12th. 1909.

Pursuant to adjournment the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that Henry P. Brown, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. J. Cox, it is ordered that William Raimond Baird, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and

509. Oceanic Steam Navigation Company, Limited, Plaintiff in Error, vs. Nevada N. Strandtman.

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Attorney
Ewie, of
for the d
in error
concluded

Sundry

The International Mercantile Marine Company, Plaintiffs in Error vs. Nevada N. Strandtman.

Mr. William G. Choate, of counsel for the in error

6 & 7

Albert L. Johnson, Plaintiff in Error, vs. William Musser.

This cause
argued by
Melville Ch
of counsel
plaintiff in error, and Mr Stephen J. C
counsel for the defendant in error.

70

Sallie J. McDaniel et al., Appellants, vs. George M. Traylor et al.

This cau
submitted
consideral
the Court
record and printed arguments by M
Webster, of counsel for the appellants, a
Mr. N. W. Norton, of counsel for the ap

The Atchison, Topeka & Santa Fe Railway Co.
vs. Plaintiffs in Error and Appellants
Samuel Calhoun by Anna Calhoun, his next friend.

The argument of this cause was commenced by Mr. Robert Dunlap, of counsel for the plaintiffs in error and appellants.

Proclamation being made the Court is adjourned

Wednesday, January 13th, 1

Pursuant to adjournment, the Court m
at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief J
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham As
Joseph McKenna J
Oliver Wendell Holmes
William R. Moody.
John M. Wright, Esquire, M
James A. McKinney, Cl

Proclamation being made, the Court is o

No. 71. The Atchison, Topeka & Santa Fe Railway Co., Plaintiff in Error and Appellant, vs. Samuel Calhoun by Anna Calhoun, his next friend.

The argu
this cause
concluded
Mr. Robe
Esq., of co
for the pl

in error and appellant, and the cause
submitted on a printed argument by
Delavyn Douglas, of counsel for the defe
in error and appellee.

72. Mateo Cariño, vs. Plaintiff in Error. The Insular Government of the Philippine Islands. The argument of this cause was commenced by Mr. Frederic R. Coudert, of counsel for the plaintiff in error, continued by Mr. Solicitor General Hoyt, of counsel for the defendant in error, and concluded by Mr. Howard Thayer Kingsbury, of counsel for the plaintiff in error.

73. Leonardo Santos et al., vs. Plaintiffs in Error. The Holy Roman Catholic and Apostolic Church et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Charles F. Consaul and Mr. George F. Pollock, of counsel for the plaintiffs in error. No counsel appeared for the defendants in error.

74. The Equitable Life Assurance Society of the U. S., vs. Petitioner. J. Wilcox Brown. The argument of this cause was commenced by Mr. William B. Hornblower, of counsel for the petitioner.

Proclamation being made, the Court is adjourned

Thursday, January 11th, 19

Pursuant to adjournment, the Court
at the Capitol.

Present:

The Honorable Melville W. Fuller, Ch
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holm
William R. Day
John M. Wright, Esquire,
James A. McKenney,

Proclamation being made, the Court

On motion first made to the Court
behalf by Mr. Marlin E. Olmsted, it
dered that William S. Jenney, Esq
New York City, be admitted to prac
an attorney and counsellor of this
and he was sworn accordingly.

On motion first made to the Court
behalf by Mr. E. Hilton Jackson, it i
that Frederick C. Handy, Esquire, of
ington, District of Columbia, be adm
practice as an attorney and counse
this Court, and he was sworn acc

t met today

hief Justice,

Associate
Justices

s

. Marshal,
Clerk.

is opened.

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Court,

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On motion first made to the Court in this behalf by Mr. Charles N. Fairbanks, it is ordered that James E. Watson, Esquire, of Rushville, and James E. Pixley, Esquire, of Terre Haute, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Yoon Shung alias
Ng Shung,
vs. Plaintiff in Error.
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas J. Barry and Mr. Harry J. Jagnich, of counsel for the plaintiff in error, and Mr. Solicitor General Hoyt, of counsel for the defendant in error.

The Equitable Life Assurance Society of the United States,
vs. Petitioner
J. Willcox Brown.

The argument of this cause was continued by Mr. William B. Hornblower, of counsel for the petitioner, and Mr. John R. Dos Passos of counsel for the respondent, and concluded by Mr. William B. Hornblower, of counsel for the petitioner.

75. Theodore R. Converse, Receiver &c., vs. Plaintiff in Error. Aetna National Bank.

76. Theodore R. Converse, Receiver &c., vs. Plaintiff in Error. The First National Bank of Suffield.

These cases were argued by Mr. William Waldo Hyde, of counsel for the plaintiff in error. No brief was filed on behalf of the defendants in error.

77. American Express Co., vs. Plaintiff in Error. A. R. Mullins.

The argument of this cause was commenced by Mr. Joseph S. Graydon, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow at [illegible]

Friday, January 15th 1909

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White Associate
Rufus W. Peckham Justices
Joseph McKenna
Oliver Wendell Holmes
William R. Moody.
John M. Wright, Esquire, Marshal.
James A. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Horace Pettit, it is ordered that Harry Cobb Kennedy, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. W. Wilson, it is ordered that Glenn S. Noble, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Warren Keifer, it is ordered that Barton Walker, Esquire, of Circleville, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry M. Teller, it is ordered that Fred W. Parks, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Daniel, it is ordered that William Allen Garber, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank S. Bright, it is ordered that O. A. La azola, Esquire, of Las Vegas, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

110 Eleanor Erica Strong et vir, vs. Francisco Gutierrez, Plaintiffs in Error, Rejoinder — On motion of Mr Henry E. Davis of counsel for the plaintiffs in error, leave is hereby granted to file certified copies of papers on the appeal taken herein.

105. J. M. Ceballos & Company vs. The United States, Appellant — The motion to remand this cause for further evidence was submitted to the consideration of the Court on printed arguments by Mr. John J. Hemphill in support of the same, and Mr. Assistant Attorney General John C. Thompson in opposition thereto.

77. American Express Co. vs. A. K. Mallory, Plaintiff in Error — The argument of this cause was concluded by Mr. Joseph S. Graydon, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

78. Davidson Brothers Marble Co. et al, vs. The United States ex rel Murray Gibbon, Plaintiffs in Error — This cause was argued by Mr. E. M. Ash-

and submitted by Mr. Robert P. Dolan and Mr. Henry P. Brown, of counsel for the defendant in error.

80 Leeds & Catlin Company, vs. The Victor Talking Machine Company et al. Petitioner,

The argument of this cause was commenced by Mr. Louis Hicks, of counsel for the petitioner, and continued by Mr. Horace Pettit of counsel for the respondents.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James P. Clarke, it is ordered that John C. Hawthorne, Esquire, of Jonesboro, and John Hailing, Esquire, of Forrest City, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Thompson, it was ordered that Raul Sliman, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsel

and submitted by Mr. Robert T. Devlin and Mr. Henry P. Brown, of counsel for the defendant in error.

80 Leeds & Catlin Company, vs. Petitioner, The Victor Talking Machine Company et al.

The argument of this cause was commenced by Mr. Louis Hicks, of counsel for the petitioner, and continued by Mr. Horace Pettit of counsel for the respondents.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James P. Clarke, it is ordered that John C. Hawthorne, Esquire, of Jonesboro, and John Gatling, Esquire, of Forest City, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Thompson, it is ordered that Raul Sliman, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsel-

Monday. January 18th, 1909.

On motion first made to the Cou
behalf by Mr. M. P. Kinkaid it w
that Benjamin T. White, Esquire, o
State of Nebraska, be admitted to
as an attorney and counsellor of t
and he was sworn accordingly.

On motion first made to the Court
behalf by Mr. Francis Burton Har
ordered that Patrick M. Keating a
chael J Jordan, Esquires, of Boston
Massachusetts, be admitted to pra
attorneys and counsellors of this Co
they were sworn accordingly.

On motion first made to the Court
behalf by Mr. W. C. Prentiss, it is or
that James P. Briggs, Esquire, of W
ton, District of Columbia, be admit
practice as an attorney and counse
this Court, and he was sworn acco

On motion first made to the Court
behalf by Mr. P. P. Campbell it is o
that James J. Bulger, Esquire, of Ba
Spirilge, State of Kansas, be admitte
practice as an attorney and counsell
Court, and he was sworn accordingly

On motion first made to the Court in
behalf by Mr. Augustus O Bacon it

that Charles Gordon Edwards, Esquire, of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Walter J. Thrask and W. C. Morton, Esquires, of Los Angeles, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Adelbert Moot, it is ordered that Everett Warren, Esquire, of Scranton, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Johnson, it is ordered that James N. Torrey, Esquire, of Scranton, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday, January 18th, 1909.

359

Waters-Pierce Oil Co.,
vs. Plaintiff in Error,
The State of Texas.

In Error to
of Civil Ap
the Third
Judicial D

The State of Texas.

This cause came on to be heard on the
script of the record from the Court of C
peals for the Third Supreme Judicial D
of the State of Texas, and was argued b
On consideration whereof It is now
dered and adjudged by this Court that
judgment of the said Court of Civil A
in this cause, be, and the same is he
affirmed with costs.

- per Mr. Justice D

360

The Waters-Pierce Oil Co.,
vs. Plaintiff in Error,
The State of Texas.

In Error to
Court of C
peals for th
Supreme J

District of the State of Texas.

This cause came on to be heard on the
script of the record from the Court of C
peals for the Third Supreme Judicial D
of the State of Texas, and was argued
sel. On consideration whereof, It is now
ordered and adjudged by this Court that
writ of error in this cause, be, and the sa
hereby, dismissed for the want of jurisdic

- per Mr. Justice Day.

Bradley H. Palmer and
H. Clay Pierce
vs. Petitioners,
The State of Texas and
Robert J. Cockrell
Receiver of the Waters
Pierce Oil Company

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby modified so as to provide that the costs of the Receivership be paid out of the fund realized in the Federal Court; and, as so modified, be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Texas.

Per Mr. Justice Day.

Monday, January 18th, 1909.

No. 27. Charles A. Moyer, vs. James H. Peabody, Sherman M. Bell and Bulkeley Wells, Plaintiff in Error, In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Dibtrict of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Holmes.

(Mr. Justice Moody took no part in the consideration of this case).

No. 31. County of Presidio, Texas, vs. The Rock-Young Bond & Stock Company. Petitioner, Writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause be, and the same is hereby, affirmed with costs, and that this cause be, and the same

remanded to the Circuit Court of the United States for the Northern District of Texas.

per Mr. Justice Harlan.

Dissenting:
Mr. Chief Justice Fuller.

257. W. O. Rucker, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

1116. The Western Union Telegraph Co., Appellant, vs. P. R. Andrews et al. On consideration of the motion to advance this cause, &c.

is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Oswald C. Ludwig, as Secretary of State of the State of Arizona, Appellant; vs. The Western Union Telegraph C

ordered by the Court that said motion the same is hereby denied.

per Mr. Chief Justice

Columbia Heights Realty Co., Plaintiff in Error, vs. Henry B. F. Macfarland et al., Commissioners of the District of Columbia.

said motion be, and the same is hereby

per Mr. Chief Justice

The Williamsburgh City Fire Insurance Co., of Brooklyn, N. Y., (Petitioner) vs. Leon Willard (doing business under the firm-name of Leon Willard & Co.)

On consideration of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, and the argument of counsel thereupon had will in support of as against the

now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

659. George E. Babcock et al. vs. Anna M. De Moll et al. Petitioners, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

664. J. N. Bean et al. vs. W. A. Morrow et al. Petitioners, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

668. William M. Brown, Appellant, vs. John F. Hoyt, U. S. Marshal &c.

On consideral
the motion fo
of supersedeas
to admit the a
to bail, &c. is
ordered by the Court that the said motio
the same is hereby, denied.

per Mr. Chief Justice

108. J. M. Ceballos & Co., Appellant, vs. The United States.

It is ordered b
Court that the
valuation of the
to remand the
for further findings of fact be, and the sa
hereby postponed to the hearing of the ca
the merits.

per Mr. Chief Justice

295 Sam Freshman, Plaintiff in Error, vs. The United States.

The motion t
or affirm in
cause was pu
to the consid
of the Court on the record and a printed
ment by Mr. Solicitor General Hoyt in su
of the same. No brief was filed on behalf of th
Plaintiff in error.

316 The United States, Plaintiff in Error, vs. K. P. Sherman. Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to dismiss this cause.

371 James Rudolph Garfield Secretary of the Interior, Plaintiff in Error, vs. The United States ex rel. Benjamin F. Vaughan, guardian and next friend of Edward A. Vaughan, Grover Cleveland Vaughan and Oscar S. Vaughan. In Error to the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

372. James Rudolph Garfield, Secretary of the Interior, vs. Plaintiff in Error, The United States ex rel. Edward A. Vaughan. In Error to the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

373. James Rudolph Garfield, Secretary of the Interior, vs. Plaintiff in Error, The United States ex rel. Benjamin F. Vaughan. In Error to the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

37	James Rudolph Garfield, Secretary of the Interior, vs. The United States ex rel. Ambrose L. Rice, Plaintiff in Error,	In Error to the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

533	The Interstate Commerce Commission, vs. A. B. Stickney et al, Receivers, et al.	Appellant. Mr. Solicitor General Hoyt, of counsel for the appellant, submitted to the consideration of the Court a motion to advance the cause.

Southern Pacific Co., et al., vs. Interstate Commerce Commission. Mr. Solicitor General Hoyt, of counsel for the Interstate Commerce Commission, submitted to the consideration of the Court a motion to advance this cause.

No. 638.

William Crozier, vs. Fried Krupp Aktiengesellschaft. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Solicitor General Hoyt in support of the same, and a memorandum in relation thereto by Mr. William A. Jenner of counsel for the respondent.

No. 452.

Ramon Valdes, vs. Ventura Munich. Plaintiff in Error.

No. 453.

Ramon Valdes, vs. O. M. Wood. Plaintiff in Error.

No. 454.

Ramon Valdes, vs. Maria Venega Serianes. Plaintiff in Error.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Willis Sweet in support of the same, and Mr. F. Kingsbury Curtis, Mr. John G. Carlisle and Mr. Henry A. Stickney in opposition thereto.

Monday, January 18th. 1909, continued

241. George D. Collins, vs. Thomas F. O'Neil, Sheriff, &c., et al. Plaintiff in Error.

Mr. R. Golden Donaldson, in behalf of the plaintiff in error, submitted to the consideration of the Court a motion to amend the writ of error in this cause.

241. George D. Collins, vs. Thomas F. O'Neil, Sheriff, &c., et al. Plaintiff in Error.

320 George D. Collins, vs. The Sheriff of the City and County of San Francisco et al. Appellant.

Mr. R. Golden Donaldson, in behalf of the plaintiff in error and appellant submitted to the consideration of the Court motions to advance these cases.

683. Joseph N. Carpenter et al., vs. David J. Winn. Petitioners,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John R. Abney in support of the same, and Mr. John W. Boothby in opposition thereto.

202.	Spokane Valley Land & Water Company, vs. R. Madson and Anna C. Madson, his wife.	The motions to dismiss in these cases were submitted to the consideration of the Court on the record and printed arguments by Mr. S. C. Hyde in support of the same, and Mr. Albert Allen in opposition thereto.
203.	Spokane Valley Land & Water Company, vs. R. Madson and Anna Madson.	
80.	Leeds & Catlin Company, vs. Victor Talking Machine Company et al.	The argument of this cause was continued by Mr. Horace Pettit of counsel for the respondents, and concluded by Mr. Louis Hicks, of counsel for the petitioner.
81.	Leeds & Catlin Company, vs. Victor Talking Machine Company et al.	This cause was argued by Mr. Louis Hicks, of counsel for the petitioner, and Mr. Horace Pettit, of counsel for the respondents.

No 963. Christ Nielsen, Plaintiff in Error,
vs.
The State of Oregon

The argument of this cause was commenced by Mr E. C. Macduff, of counsel for the plaintiff in error.

Proclamation being made, the Court is ad-

Tuesday, January 19th, 1909.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody. Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Kittredge, it is ordered that John T. Schrader, Esquire, of Rapid City, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that W. E. Haymond, Esquire, of Sutton, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. A. Moseley, it is ordered that Patrick J. McCarthy, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert W. de Forest, it is ordered that Jackson E. Reynolds, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tracy L. Jeffords it is ordered that Clifton Maloney, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that William A. De Bord, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

547 Christ Nielsen. vs. Plaintiff in Error. The State of Oregon.

The argument of this cause was continued by Mr. E. C. Macdonald, of counsel for the plaintiff in error, and Mr. H. M. Crawford, of counsel for the defendant in error, and concluded by Mr. E. C. Macdonald of counsel for the plaintiff in error.

554 The United States of America ex rel. The Attorney General of the United States, vs. Plaintiff in Error. The Delaware & Hudson Co. and Nos. 560, 561, 562, 563 and 564. Same Plaintiff in Error, vs. Various Railroad Companies.

565 The United States of America vs. Appellant. The Delaware & Hudson Co. and Nos. 566, 567, 568, 569 and 570. Same Appellant vs. Various Railroad Companies.

On motion of Mr. Attorney General Bonaparte it is ordered that three hours be allowed each side in the argument of these cases, and on motion of Mr. John G. Johnson, of counsel for the defendants in error and appellees, it is ordered that three counsel be allowed to argue these cases orally on behalf of the defendants in error and appellees. The argument of these cases was commenced by Mr. Solicitor General Hoyt, of coun-

Thursday, January 19th, 1899, continued.

continued by Mr. Robert N. de Forest and Mr. John G. Johnson, of counsel for the defendants in error and appellees.

Proclamation being made, the Court is adjourned

Wednesday, January 20th, 1909

Pursuant to adjournment, the Court met to-day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Dick, it is ordered that William Hayes Fuller, Esquire, of McAlester, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

554.

The United States of America ex rel. the Attorney General of the United States,
vs. Plaintiff in Error,
The Delaware & Hudson Co.
and Nos. 560, 561, 562, 563 & 564

The argument of these cases was continued by Mr. John G. Johnson, of counsel for the defendants in

vs.
Various Railroad Companies
The United States of America,
565. vs. Appellant.
The Delaware & Hudson Co.
and Nos. 566, 567, 568, 569 & 570
Same Appellant,
vs.
Various Railroad Companies.

and Mr. Walker D. Hines, of counsel for the defendant in error and appellee in Nos. 569 and 565, and concluded by Mr. Attorney General Bonaparte, of counsel for the plaintiff in error and appellant.

Dennis N. Mullan,
52. vs. Appellant,
The United States.

This cause was argued by Mr. W. E. Richardson, of counsel for the appellant, and Mr. Assistant Attorney General John D. Thompson, of counsel for the appellee.

(Proclamation being made, the Court is adjourned

Thursday, January 21st 1904

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Benjamin H. Schwartz, it is ordered that Edwin M. Abbott, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Thurston, it is ordered that J. William Shea, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Francis Burton Harrison, it is ordered that William T. H. Fitzgerald, and Arthur W. Dolan, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Marcelo Leano and Maria Gonzalez, Plaintiffs in Error. vs. The United States. — In Error to the Supreme Court of the Philippine Islands.

No. 91.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Josefa Diana Martinez et al., Appellants, vs. La Asociacion de Senoras Damas del Santo Asilo de Ponce. — This cause was argued by Mr. Fritz v. Briesen, of counsel for the appellants, and Mr. John W. Yerkes of counsel for the

No. 53.

appellee.

Thursday, January 31st, 1907, continued.

Gustave A. Jahnstal,
vs.
The Steamship "Folmina" &c.

The argument of this cause was commenced by Mr. Frederick M. Brown, of counsel for Jahnstal, and continued by Mr. J. Parker Kirlin for the Steamship "Folmina" &c.

Proclamation being made, the Court is adjourned

Friday, January 22d, 1904.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Michael J. Colbert, it is ordered that Moses H. Grossman, Esquire, of New York City, be admitted to practice here as attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that Richard C. James, Esquire, of Falls City, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion duly made to the Court
this behalf by Mr. Archibald of Th
it is ordered that Harry P. Cross,
of Providence, State of Rhode Island
mitted to practice as an attorney a
sellor of this Court, and he was sworn a

Gustave A. Jahn et al.,
vs.
The Steamships "Folmina" &c.

The argum
cause was
by Mr. J. C
Kirlin, of c
for the Steamship "Folmina" &c., and c
by Mr. Frederick M. Brown, of counse
et al.

8'6.

E. C. Atkins & Company,
vs.
Edward B. Moore, Commissioner of Patents.

This ca
argue
by Hester
Ford, of
for the
and plaintiff in error, and Mr. Assista
General Fowler, of counsel for the appe
defendant in error.

8'7.

The Steam Tug "Eugene F. Moran" &c.
vs.
The New York Central & Hudson River Railroad Company.

8'8.

The Henry Dubois Sons Co., et al.
vs.

The
of th
was
by M
Emo
from

the Henry Dubois Sons Company, and continued by Mr. Archibald G. Thacher, of counsel for the New York Central & Hudson River Railroad Company; Mr. Harrington Putnam of counsel for the tug "Eugene F. Moran" Mr. W. S. Montgomery of counsel for the tug "Charles E. Matthews"; and Mr. James Emerson Carpenter, of counsel for the Henry Dubois Sons Company.

Proclamation being made, the Court is adjourned

Monday, January 25th, 19

(Pursuant to adjournment, the Court m
at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief J
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Ass
Joseph McKenna Ju
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, M
James A. McKenney, E

(Proclamation being made, the Court is op

On motion first made to the Court in th
by Mr. Solicitor General Hoyt, it is ordered
Chas. R. Carruth, Esquire, of New York
Robert Lee Clinton, Esquire, of Butte, Stat
tana, be admitted to practice as attorn
and counsellors of this Court, and they
sworn accordingly.

On motion first made to the Court in th
by Mr. Norris Brown, it is ordered that
L. Learned, Esquire, of Omaha, State of
ka, be admitted to practice as an attor
and counsellor of this Court, and he

On motion first made to the Court in this behalf by Mr. H. Randall Webb, it is ordered that Irvin L. Herman, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Truax P. Flint, it is ordered that Percy K. Wilson, Esquire, of Los Angeles, and John W. Dorsey, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. D. O'Connell, it is ordered that William S. Kenyon, Esquire, of Fort Dodge, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that George W. Case, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

Robert Evans Davie, Esquire, of Laur
State of Florida, be admitted to prac
attorney and counsellor of this Cour
was sworn accordingly.

On motion first made to the Court o
behalf by Mr. John J. Fitzgerald, it
that Joseph H. Russell, Esquire, of Ko
State of Missouri, be admitted to prac
attorney and counsellor of this Court,
was sworn accordingly.

On motion first made to the Court on
by Mr. Charles J. Hughes, Jr., it is ord
John L. Dill, Esquire, of Denver, St
Colorado, be admitted to practice as
torney and counsellor of this Court,
was sworn accordingly.

On motion first made to the Court in
half by Mr. V. J. Farrell, it is ordered
Lindorf O. Whitnel, Esquire, of East
State of Illinois, be admitted to pra
an attorney and counsellor of this C
he was sworn accordingly.

Monday, January 25th, 1909, continued

Louisville & Nashville Railroad Company, Plaintiff in Error vs. Central Stock Yards Co.

In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice McKenna
Mr. Justice Harlan
Mr. Justice Moody.

The Chief Justice announced that the Court will take a recess from Monday, February 1, to Tuesday, February 23, next.

Monday, January 25th, 1909.

626. William Hepner, vs. The United States. In this order
Court sha
mission
cause be,
same is hereby, set aside, and the ca
to the docket for oral argument, and a
for argument on Tuesday, February
after the cases heretofore assigned for

Per Mr. Chief J

241. George D. Collins vs. Plaintiff in Error, Thomas F. O'Neil, Sheriff, &c., et al. On consi
of the m
Amend
of error
cause, I

Here ordered by the Court that said m
and the same is hereby, granted.

Per Mr. Chief

241. George D. Collins, vs. Plaintiff in Error, Thomas F. O'Neil, Sheriff, &, et al. On consid
the motion
vance the
It is ord
dered by
that said
be, and th
are hereby
and the c

320. George D. Collins, vs. Appellant. The Sheriff of the City and County of San Francisco et al

signed for argument, as one case, on M
April 5th Next.

Monday, January 25th, 1909, continued.

310. The United States, Plaintiff in Error, vs. K. P. Plowman. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

533. The Interstate Commerce Commission, Appellant, vs. A. B. Stickney and C. H. F. Smith, Receivers, et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 12th, next, but the case will be taken on printed briefs on or before April 5th, next, if counsel shall be so advised.

per Mr. Chief Justice Fuller

532. Southern Pacific Co, et al. vs. Interstate Commerce Commission. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 12th, next, but the case will be taken on printed briefs on or before

675. William Crozier. vs. Petitioner. Fried. Krupp Aktien-gesellschaft. On petition for certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It is now ordered by the Court that said petition be the same is hereby, granted.

Per Mr. Chief Justice

676. Joseph N. Carpenter, et al., Petitioners, vs. David J. Winn. On petition for certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice

Monday, January 25th 1909, continued.

The People of the State of New York, Complainants, vs. State of New Jersey, et al. — On consideration of the motion on behalf of the United States for leave to intervene in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted without prejudice.

Per Mr. Chief Justice Fuller.

Spokane Valley Land & Water Company, Plaintiff in Error, vs. R. Madson and Anna C. Madson, his wife. — In Error to the Supreme Court of the State of Washington.

No. 262.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Monday, January 25th, 190

231. Spokane Valley Land & Water Company, Plaintiff in Error, vs. R. Madson and Anna Madson. In Er Supre of the Wa

This cause came on to be heard on th of the record from the Supreme Court o of Washington and on a motion to di which was argued by counsel. On co thereof, It is now here ordered judged by this Court that the writ o this cause, be, and the same is here for the want of jurisdiction.

Per Mr. Chief Justi

298. Sam Freishman, Plaintiff in Error, vs. The United States. In Error t trict Court United St Northern

Texas.

This cause came on to be heard on th script of the record from the District the United States for the Northern Texas, and on motion to dismiss or which was argued by counsel. On co whereof, It is now here ordered and by this Court that the writ of error cause be, and the same is hereby, dis the want of jurisdiction.

Per Mr. Chief Justice

Monday, January 25th, 1909, continued

Goon Shung alias Ng Shung,		In Error to the District Court of the United States for the District of Massachusetts.
55.	vs. Plaintiff in Error.	
The United States.		

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed.

per Mr. Chief Justice Fuller.

Theodore R. Conversé, Receiver of the Minnesota Thresher Manufacturing Co.		In Error to the Supreme Court of Errors of the State of Connecticut.
75.	vs. Plaintiff in Error.	
Aetna National Bank.		

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors, in this cause, be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said

ceedings in conformity to law.

Per Mr. Chief Justice Fuller.

Theodore R. Converse, Receiver of The Minnesota Thresher Manufacturing Co. vs. First National Bank of Suffield — Plaintiff in Error, — In Error to the Supreme Court of Errors of the State of Connecticut.

No. 76

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court of Errors for further proceedings in conformity to law.

Per Mr. Chief Justice Fuller.

The United States, vs. William R. Mason et al. — Plaintiff in Error, — Mr. Solicitor General Hoyt, of counsel for the plaintiff in error,

No. 112.

submitted to the consideration of the Court a motion to advance this cause.

Monday, January 25th, 1909, continued.

James Rudolph Garfield,
Secretary, &c.,
698 vs. Petitioner,
The U. S. ex rel. Harvey
Spalding.
James Rudolph Garfield,
Secretary, &c.,
699 vs Petitioner,
The U. S. ex rel. James H.
Spalding.
James Rudolph Garfield,
Secretary &c.,
700 vs. Petitioner,
The U. S. ex rel. Edwin W.
Spalding.

The petition for writs of certiorari in these cases was submitted to the consideration of the Court by Mr. Solicitor General Hoyt in support of the same.

Hugh R. Healy,
691 vs Petitioner,
The Sun Company,
Owner &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick M. Brown and Mr. William J. Wallace in support of the same and Mr. J. Parker Kirlin in opposition thereto.

No 511. The Noble State Bank, Plaintiff in Error,
vs.
C. N. Haskell et al.

The State of Oklahoma ex rel. Charles West, Attorney General, etc., Plaintiff in Error,
vs.
No 515. The Chicago, Rock Island & Pacific Railway Co.

A. N. Huston, Judge etc., et al., Plaintiffs in Error,
No 669. vs.
The State of Oklahoma ex rel. C. N. Haskell, Governor.

Mr. E. H. [illegible] of counsel submitted the consideration the Court to advance case.

The Interstate Commerce Commission, Appellant.
No 501. vs.
The Chicago & Alton Railway Company.

The Interstate Commerce Commission, Appellant.
No 502. vs.
The Illinois Central Railroad Company.

Mr. Willis Kenyon, el. for the lee, subm to the con tion of th a motion vance the and Mr. D. McKen behalf of submitted to the consideration of the Co motion for leave to counsel for Horace et al., receivers of the Illinois Colliery pany, to file a printed brief and ma argument herein

Monday, January 25th. 1909, continued

684. Timothy McCarthy et al., vs. Petitioners. The Bunker Hill & Sullivan Mining & Concentrating Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. P. Stoll and Mr. W. G. Jones in support of the same, and Mr. G. W. Beale in opposition thereto.

361. William Notley et al., vs. Plaintiffs in Error. Cecil Brown et al. The motion to dismiss or affirm herein was submitted to the consideration of the Court on the record and printed arguments by Mr. Alexander Britton, Mr. A. B. Browne and Mr. W. L. Stanley in support of the same, and Mr. Robert M. Morse and Mr. William M. Richardson in opposition thereto.

Ex parte: In the matter of the Dowagiac Manufacturing Co., Original Petitioner. Mr. L. P. Whitaker, in behalf of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

679. J. A. Scriven Company, vs. Petitioner, Rice Stix Dry Goods Co.

680. J. A. Scriven Company, vs. Petitioner Premium Manufacturing Co.

681. J. A. Scriven Company, vs. Petitioner The Ferguson-McKinney Dry Goods Company.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Arthur V. Brisen in support of the same, and Mr. Montague Lyon and Mr. Frederick W. Lehmann in opposition thereto in Nos. 679 and 680, and Mr. Samuel S. Watson in opposition thereto in No. 681.

75. Lachrop, Shea & Hinwood Co., vs. Plaintiff in Error, Interior Construction & Improvement Company.

It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of section 7 of Rule 26.

87. The Steam Tug "Eugene F. Moran" &c., vs. The New York Central & Hudson River Railroad Co.

88. The Henry Dubois Sons Co., et al. vs.

The argument of these cases was continued by Mr. Frederick M. Brown, of counsel for

Monday, January 25th, 1909, continued.

Central & Hudson River Railroad Company and excluded by Mr. James Emerson Carpenter, of counsel for the Henry Dubois Lime Company.

The Chesapeake & Ohio Railway Company et al. vs. Plaintiffs in Error. Emma R. McCabe Administratrix &c. 54. This cause was argued by Mr. E. L. Worthington, of counsel for the plaintiffs in error, and Mr. Allan D. Cole, of counsel for the defendant in error.

The United States, vs. Plaintiff in Error, National Exchange Bank of Providence. 91. The argument of this cause was commenced by Mr. Theodore Francis Green, of counsel for the defendant in error.

Proclamation being made, the Court is ad-

Tuesday, January 26th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John M. Thurston, it is ordered that Charles E. Miller, Esquire, of South Bend, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States,
Plaintiff in Error,
vs.
National Exchange Bank
of Providence.

The argument of this cause was concluded by Mr. Theodore Francis Green, of counsel for the defendant in error, and the cause was submitted on a printed argument

counsel for the plaintiff in error, with leave to him to file a reply brief herein within ten days.

Hugh Martin.
71. vs. Plaintiff in Error.
Ernst Loffler.

This cause was argued by Mr. Lorenzo A. Bailey, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Leon Trobriner, of counsel for the defendant in error.

Josiah Cooder, Trustee &c.,
73 vs. Appellant.
William Arts

This cause was argued by Mr. Myron L. Learned, of counsel for the appellant, and Mr. George S. Wright, of counsel for the appellee.

J. E. Hurley et al.,
75. vs. Appellants,
The Atchison, Topeka & Santa Fe Railway Co., et al.

The argument of this cause was commenced by Mr. Frank Hagerman, of counsel for the appellants.

Proclamation being made the Court is adjourned.

Wednesday, January 27th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Vere L. Goldthwaite, it is ordered that George L. Barnes, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States of America, suing at the costs and for the benefit of Penn Thon Co. Limited, Plaintiffs in Error,
vs.
William R. Trigg Co., et al.

It is ordered by the Court that this cause be, and the same is hereby, continued to the

101

J. E. Hurley et al., Appellants, vs. The Atchison, Topeka & Santa Fe Railway Co. et al. — The argument of this cause was continued by Mr. Frank Hagerman, of counsel for the appellants and Mr. Robert Dunlap, of counsel for the appellees, and concluded by Mr. Frank Hagerman, of counsel for the appellants.

John N. Bagley, Plaintiff in Error, vs. General Fire Extinguisher Co. — This cause was argued by Mr. Henry B. Closson, of counsel for the plaintiff in error, and Mr. Peter B. Olney, of counsel for the defendant in error.

Proclamation being made, the court is ad-

Thursday, January 28th 1909

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. S. M. Sparkman, it is ordered that S. K. Gillis, Esquire, of De Funiak Springs, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James S. Botsford it is ordered that John M. Cleary, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Thursday, January 28th, 1909, continued.

On motion first made to the court in this behalf by Mr. Charles J. Hughes, Jr., it is ordered that Francis Hurtubise, Jr., Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Mammoth Mining Co., Plaintiff in Error, vs. Grand Central Mining Co. } This cause was argued by Mr. Charles J. Hughes, Jr., of counsel for the plaintiff in error, and Mr. W. A. Dickson, of counsel for the defendant in error.

D. L. Trubline et al., Plaintiffs in Error, vs. The Boatmen's Bank. } The argument of this cause was commenced by Mr. D. R. Hite of counsel for the plaintiffs in error.

Proclamation being made, the Court is ad-

Friday, January 29th, 1904.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that John C. Starr, Esquire, of the State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

S. Original

The United States of America. Complainant.
vs.
J. F. Shipp et al.

On motion of Mr. Solicitor General Hoyt, of counsel for the complainant, It is ordered by the Court that this cause be, and the same is hereby, assigned for

Maria Guiseppa Raffaele
Marcucci.
103 vs. Plaintiff in Error.
The Baltimore & Ohio Railroad Co.

On motion of Mr. Benjamin S. Minor, of counsel for the plaintiff in error, leave is hereby granted to Mr. George C. Bradshaw to file brief and make oral argument herein.

Dl. Fritzlen et al.,
44 vs. Plaintiffs in Error,
The Boatmen's Bank.

The argument of this cause was continued by Mr. D. R. Hile, of counsel for the plaintiffs in error, and Mr. James S. Botsford, of counsel for the defendant in error, and concluded by Mr. D. R. Hile, of counsel for the plaintiffs in error.

North Shore Boom &
Driving Company
10 vs. Plaintiff in Error.
Nicomen Boom Company.

The argument of this cause was commenced by Mr. Charles E. Miller, of counsel for the plaintiff in error, and continued by Mr. James H. Wilson, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Monday, February 1st, 1904.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that Ralph D. Brown, Esquire, of Crete, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Van Vechten Olcott, it is ordered that Nelson S. Thunnicliff, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that Patrick B. Gorman, Esquire, of St. Cloud, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Spalding Flannery, it is ordered that John Pickrell, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Brown, it is ordered that F. D. Gallup, Esquire, of Smethport, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Myer Cohen, it is ordered that Moses Weinman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

No. 5. The Standard Oil Co., Petitioner, vs. Edward Anderson. On writ of cer the United St cuit Court of for the Secon

This cause came on to be heard on t script of the record from the United S Circuit Court of Appeals for the Secon and was argued by counsel. On con whereof, It is now here ordered and by this Court that the judgment of the United States Circuit Court of Appea cause, be, and the same is hereby, affir costs; and that this cause be, and the hereby, remanded to the Circuit Court United States for the Eastern District York.

Per Mr. Justice M

No. 61. John D. Spreckels, Adolph B. Spreckels and C. August Spreckels, Partners, doing business under the firm-name of J. D. Spreckels Bros., et al. vs. Charles A. Brown. In Err Supreme of the T of Ha

This cause came on to be heard on the t of the record from the Supreme Court of ritory of Hawaii, and was argued by On consideration whereof, It is now he

of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

92. William Gordon Crawford, Petitioner, vs. The United States. On writ of certiorari to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and remand the cause to that Court with directions to set aside the verdict and grant a new trial.

per Mr. Justice Peckham.

(Mr. Justice Moody took no part in the decision of this case.)

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63. Waters-Pierce Oil Co., Plaintiff in Error, vs. Albert B. Deshon. In Error to the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the tran-

of the Territory of Oklahoma, and wa
by counsel. On consideration whereo
now here ordered and adjudged by
Court that the judgment of the said
Court, in this cause, be, and the same
affirmed with costs; and that this
and the same is hereby remanded
Supreme Court of the State of Okla

Per Mr. Justice

57. Ontario Land Company, Plaintiff in Error, vs. Jay Yordy and Minnie E. Yordy, his wife. In Error Supreme the State ington.

This cause came on to be heard on th
script of the record from the Supreme C
the State of Washington, and was ar
counsel. On consideration whereof, It
here ordered and adjudged by this C
that the judgment of the said Supreme
in this cause, be, and the same is he
firmed with costs.

Per Mr. Justice

15 Continental Wall Paper Co., Petitioner, vs. The Lewis Voight & Sons Co. On writ of c to the Unite Circuit Cou for the Sixth

This cause came on to be heard on the

Circuit Court of Appeals for the Sixth Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed with costs; and that this cause be and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Ohio.

per Mr. Justice Harlan.

Dissenting:
Mr. Justice Holmes
Mr. Justice Brewer
Mr. Justice White
Mr. Justice Peckham.

436. The United States, Appellant, vs. Edwin E. Marvin. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

per Mr. Chief Justice Fuller.

Monday, February 15th, 1909

No. 157. Ramon Valdes, Plaintiff in Error, vs. Ventura Municth. In Error to the Court of the for Porto R

This cause came on to be heard on the of the record from the District Court States for Porto Rico, and on motion or affirm which was argued by co consideration whereof, It is now and adjudged by this Court that the error in this cause be, and the same dismissed for the want of jurisdict

per Mr. Chief Justice

No. 158. Ramon Valdes, Plaintiff in Error, vs. C. M. Ford. In Error to the Court of the States for P

This cause came on to be heard on the of the record from the District Court United States for Porto Rico and on dismiss or affirm which was argu sel. On consideration whereof, It is ordered and adjudged by this Cou the writ of error in this cause be, a same is hereby, dismissed for the jurisdiction

per Mr. Chief Justice

1754 Ramon Valdes vs. Plaintiff in Error, Maria Venega Piriano — In Error to the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Davagiac Manufacturing Company, Petitioner. — On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Monday, February 1st, 1909.

William Motley et al.,
vs. Plaintiffs in Error,
Cecil Brown and Anthony Lagota,
Proponents of the will of Thomas
Motley, deceased, et al.

In E
Supr
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of A

This cause came on to be heard on the
of the record from the Supreme Court
tory of Hawaii, and on motion to d
affirm which was argued by counse
consideration whereof, It is now he
and adjudged by this Court that the
error in this cause be, and the same
dismissed for the want of jurisdiction

Per Mr. Chief Justice

501

The Interstate Commerce
Commission,
vs. Appellant,
The Chicago & Alton Railroad Co.

The Interstate Commerce
Commission,

502.
vs. Appellant,
The Illinois Central
Railroad Company.

On consid
the motio
vance the
It is no
dered by
that said
be, and t
is hereby,
and the c
signed fo

on Monday, March 1st, next, after the
heretofore designed for that day. It is
ordered that Leave be, and the same is
granted to Lowry et al., Receivers of the

but the application for leave to make oral argument herein is denied.

per Mr. Chief Justice Fuller.

544 The Noble State Bank vs. Plaintiff in Error. C. N. Haskell et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby denied. (See order of October 20, 1908).

per Mr. Chief Justice Fuller.

669 A. H. Huston, Judge &c., et al., vs. Plaintiffs in Error. The State of Oklahoma ex rel. C. N. Haskell, Governor. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby denied.

per Mr. Chief Justice Fuller.

668 The State of Oklahoma ex rel. Charles West, Attorney General vs. Plaintiff in Error. The Chicago, Rock Island & Pacific Railway Company. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and

Monday, February 1st, 1909.

642. The United States, Plaintiff in Error, vs. William R. Macomber et al. On cons... of the ... advan... It is ... ordered by the Court that said mo... and the same is hereby granted, a... cause assigned for argument on M... March 1st, next, after the cases here... signed for that day.

per Mr. Chief Justic...

671. J. A. Scriven Company, Petitioner, vs. Rice Stix Dry Goods Co. On petition for ... tiorari to the ... Eighth Circuit ... Appeals for the ...

Eighth Circuit.

On consideration of the petition for a ... certiorari herein to the United Stat... Court of Appeals for the Eighth Circuit, ... the argument of counsel thereupon ... well in support of as against the sa... now here ordered by the Court that ... tition be, and the same is hereby, deni...

per Mr. Chief Just...

670. J. A. Scriven Company, Petitioner, vs. (Premium) Manufacturing Co. On petition ... certiorari t... United Sta... Court of Ap...

Eighth Circuit.

On consideration of the petition for a ... certiorari to the ...

Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same; &c. It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

J. A. Scriven Company, Petitioner.
vs.
Ferguson McKinney Dry Goods Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

684.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Timothy McCarthy, William Raney and Elmer Doty, Petitioners,
vs.
The Bunker Hill and Sullivan Mining & Concentrating Co., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

685.

of certiorari herein to the United St
Court of Appeals for the Ninth Circu
the argument of counsel thereupon
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now here ordered by the Court that
be, and the same is hereby denied.

Per Mr. Chief Just

694. Hugh R. Healy,
Petitioner,
vs.
The Sun Company, Owner
of the Steamer "Paraguay."

On petition
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On consideration of the petition for a certiorari herein to the United Stat Court of Appeals for the Second Circu of the argument of counsel thereupo as well in support of as against the It is now here ordered by the Court said petition be, and the same is he nied.

Per Mr. Chief Jus

698. James Rudolph Garfield,
Secretary of the Interior,
Petitioner,
vs.
The United States ex rel.
Harvey Spalding.

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On consideration of the petition for a of certiorari herein to the [illegible]

of the District of Columbia, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr Chief Justice Fuller.

699. James Rudolph Garfield, Secretary of the Interior, vs. The United States ex rel. James H. Spalding. Petitioner, On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

700. James Rudolph Garfield, Secretary of the Interior, vs. The United States ex rel. Edwin W. Spalding. Petitioner, On petition for writ of certiorari to the Court of Appeals of the Dsitrict of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It

said petition be, and the same is here

per Mr. Chief Justice

397. William K. Wilcox et al., Appellants, vs. Consolidated Gas Company of New York.

The City of New York, Appellant, vs. Consolidated Gas Company of New York.

William S. Jackson, Attorney General &c., Appellant, vs. Consolidated Gas Company of New York.

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the fund which has accumulated in pursuant to the offer contained in th plaintiffs bill and by reason of th of the injunction order heretofore gra that Court."

per Mr. Chief Justice

660. The United States, Appellant, vs. The American Tobacco Co. et al.

661. The American Tobacco Co., et al., Appellants, vs. The United States.

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338. The United States, Plaintiff in Error, v. The Union Supply Co.
504. The United States, Plaintiff in Error, v. Bob Celestine
505. The United States, Plaintiff in Error, v. John A. Corbell et al.
598. The United States, Plaintiff in Error, v. Simon J. Mescall
615. The United States, Plaintiff in Error, v. Tilden B. Stevenson et al.
616. The United States, Plaintiff in Error, v. Tilden B. Stevenson et al.
619. The United States, Plaintiff in Error, v. Harvey Sutton et al.

Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, submitted to the consideration of the court a motion to advance these cases.

Mammoth Mining Co., Plaintiff in Error, vs. Grand Central Mining Co. — On motion of Mr. Everard Biner, Jr. of counsel for the plaintiff in error, leave is hereby granted him to file a reply brief herein within five days.

Smithsonian Institution et al., Plaintiffs in Error, vs. Gamaliel C. St. John as Executor and Trustee, &c., et al. — Mr. James W. Hawes, of counsel for the defendants in error, submitted to the consideration of the court a motion to advance this cause.

10⅞.

North Shore Boom & Driving Company,
vs. Plaintiff in Error,
Nicomen Boom Company.

The argument of this cause was continued by Mr. James A. Wilson, of counsel for the defendant in error, and concluded by Mr. John M. Thurston, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until Tuesday the 2nd inst. at

Tuesday, February 3rd. 1903

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices

John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that Henry Mooney, Esquire, of New Orleans, State of Louisiana, and James S. Lehmaier, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. A. Moseley, it is ordered that Eugene L. Gaddess, Esquire, of

mitted to practice as an attorney and
lor of this Court, and he was sworn
cordingly.

On motion first made to the Court in
behalf by Mr. Joseph J. Russell, it is
that Elliott W. Major, Esquire, of
City, State of Missouri, be admitted
tice as an attorney and counsellor
Court, and he was sworn according

On motion first made to the Court in
behalf by Mr. Frederick L. Tyler, it is
that Charles H. Leuder, Esquire, of
State of West Virginia, be admitted
tice as an attorney and counsellor
Court, and he was sworn accordi

On motion first made to the Court
behalf by Mr. Frederic D. McKenn
ordered that Charles C. Boynton, Es
of San Francisco, State of California,
mitted to practice as an attorney an
sellor of this Court, and he was sworn
cordingly.

On motion first made to the Court in
behalf by Mr. J. J. Jenkins, it is orde
that Thomas J. Connor, Esquire, of
Falls, State of Wisconsin, be admitted
tice as an attorney and counsellor

Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. DeLagnel Berier, it is ordered that Richard D. Currier, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. C. Campbell, it is ordered that Harry F. Lerch, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank S. Bright, it is ordered that Frank J. Baker, Esquire, of Colorado Springs, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. F. Trabue, it is ordered that Robert N. Winn, Esquire, of Mount Sterling; C. C. McChord, Esquire, of Louisville, and Adam T. Siler, Esquire, of Williamsburg, State of Kentucky, be admitted to practice

and they were sworn accordingly.

On motion first made to the Court in this behalf by Mrs. E. S. Mussey, it is ordered that Carl E. Whitney, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Beck, it is ordered that Alfred Opdyke and Benjamin S. Catchings, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that William A. Page, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George W. Murray, it is ordered that William E. S. Griswold, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Merillat, it is ordered that William R. Lawrence, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

The Texas & Pacific Railway Company, Plaintiffs in Error, vs. Jonas S. Bowman. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana, for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Moody.

The Atchison Topeka and Santa Fe Railway Co., Plaintiffs in Error and Appellants
vs.
Samuel Calhoun by Anna Calhoun his next friend

In Error to and appeal from the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Oklahoma for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Moody.

78.

Davidson Bros. Marble Co., Samuel A. Tolman and John A. Tolman
vs.
The United States of America on the relation of Murray Gibson

In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the tran-

of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the same for want of jurisdiction.

per Mr. Justice Moody.

Dissenting:
Mr. Justice McKenna

Josefa Diana Martinez, Julio N. Chardon, Carlos Cabrera and Thomas Torres, vs. Appellants, La Asociacion de Senoras Damas del Santos Asilo de Ponce.

Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs;

hereby, remanded to the said District Court with directions to dismiss the bill, without prejudice, for want of jurisdiction.

Per Mr. Justice Moody.

35. The New York Central & Hudson River Railroad Co., Plaintiff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Day.

(Mr. Justice Moody took no part in the decision of this case.)

36. The New York Central & Hudson River Railroad Co., Plaintiff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by

consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Day.

(Mr. Justice Moody took no part in the decision of this case.)

The United States, Plaintiff in Error, vs. The New York Central & Hudson River Railroad Co. In Error to the Circuit Court of the United States for the Southern District of New York.

215

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Day.

(Mr. Justice Moody took no part in the decision of this case.)

52. Dennis N. Mullan, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Day.

105. American Express Co., Appellant, vs. The United States. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Day.

No. 207. National Express Co., Appellant, vs. The United States. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Day.

No. 208. United States Express Co., Appellant, vs. The United States. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

401 Wells-Fargo & Co., Appellant, vs. The United States. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Day.

402 Adams Express Co., Appellant, vs. The United States. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Day.

33. Frederic L. Grant Shoe Co., Bankrupt, vs. W. M. Laird Co., of Pittsburg, Pa. Plaintiff in Error. In Error to the District Court of the United States for the Western District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

32. Mateo Carino vs. The Insular Government of the Philippine Islands. Plaintiff in Error, In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause,

costs; and that this cause be, and
is hereby, remanded to the said Su
Court for further proceedings not
with the opinion of this Court.

Per Mr. Justice

Leonardo Santos, Matias
Adriano, Angel Luna, and
Teodoro Santos.

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f.3. vs. (Plaintiffs in Error;)
The Holy Roman Catholic
and Apostolic Church et al.

This cause came on to be heard on
script of the record from the Supre
of the Philippine Islands, and wa
by counsel. On consideration whe
now here ordered and adjudged b
Court that the judgment of the said
Court, in this cause be, and the sa
hereby affirmed with costs.

Per Mr. Justi

The Steam Tug "Eugene F. Moran"
Michael Moran, claimant and the
Scows "15 D" and "18 D" The Henry Dubois
Sons Co. claimant.

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The New York Central and Hudson
River Railroad Company and the
Steam Tug "Charles D. Mattituck"

John D. Dailey et al.
Claimants.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the damages sustained by the car float be assessed equally upon the offending vessels. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Holmes.

The Henry Dubois Sons & Co. and the Steam Tug "Eugene F. Moran," Michael Moran, Claimant.

vs.

The Steam Tug "Charles E. Matthews," John D. Dailey et al., claimants.

On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the damages sustained by the libellant be assessed equal-

vessel or vessels of the libellant bearing their proportion of the cost. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Holmes.

No. 16. John A. Bagley, Plaintiff in Error, vs. General Fire Extinguisher Co. In Error to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Holmes.

No. 17. Sallie J. McDaniel, Nannie A. Abshall and Mary E. Jackson, Appellants, vs. George M. Traylor, John F. Stratton, John F. Smith et al. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript

United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna

100 John A. Green appellant, vs. Isaac L. Coate, Appellant. Appeal from the Supreme Court of the Territory of Oklahoma

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs; and that this cause be and the same is hereby remanded to the Supreme Court of the State of Oklahoma.

Per Mr. Justice McKenna

Ex parte: In the matter of Mary Dunn, in her own behalf, and as next friend of Walter Dunn, George Dunn, James Dunn, and Angel Dunn, minors, and Amanda Dunn. On consideration of the petition for a writ of mandamus, the return to the rule to show

herein, and of the argument of counsel
had, It is now here ordered by the Cou
the rule to show cause be discharged an
said petition be and the same is here
missed.

Per Mr. Justice Pec

Dissenting:
Mr. Justice Harlan.

(Priscilla Bradford, Appellant, Appeal from th
66 vs. Court of the Ter
Robert E. Morrison Arizona

This cause came on to be heard on the
of the record from the Supreme Court of
tory of Arizona, and was argued by co
On consideration whereof, It is now h
adjudged, and decreed by this Court t
decree of the said Supreme Court, in th
be, and the same is hereby, affirmed w

Per Mr. Justice

Hugh Harlan, In Error t
61 vs. Plaintiff in Error, Court of App
Ernst Löffler the District

This cause came on to be heard on
script of the record from the Court
of the District of Columbia, and was
by counsel. On consideration whe

Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Peckham

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107. North Shore Boom & Driving Co., vs. Plaintiff in Error, Nicomen Boom Co. — In Error to the Supreme Court of the State of Washington

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Peckham

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182. The Railroad Commission of Louisiana, vs. Appellant, Cumberland Telephone & Telegraph Company. — Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued

is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

Per Mr. Justice Peckham.

(Mr. Justice White, not having heard the argument, did not take part in the decision of this case.)

Gustave A. Jahn et al., vs. Steamship "Folmina" William Van Eyken, Claimant. On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof It is the opinion of this Court that the first question certified should be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice White.

94.	D. L. Fritzlen, Edna P. Fritzlen, and W. A. Weldon, vs. The Boatmen's Bank, Plaintiffs in Error.	In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice White.

95.	Hammond Packing Co., vs. The State of Arkansas, Plaintiff in Error.	In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice White.

Dissenting:
Mr. Chief Justice Fuller

(Tuesday, February 23d, 1904, con

1[illegible]	American Express Co., vs. Plaintiff in Error, A. R. Mullens.	In Error to Court of Ken State of Ken

This cause came on to be heard on the of the record from the Circuit Court of County, State of Kentucky, and was by counsel. On consideration whereof now here ordered and adjudged by this that the judgment of the said Circuit in this cause be, and the same is here versed with costs; and that this cau and the same is hereby, remanded to said Circuit Court for further proceed inconsistent with the opinion of this

per Mr. Justice [illegible]

1593.	Christ Nielsen, vs. Plaintiff in Error, The State of Oregon.	In Error t Supreme Co State of Or

This cause came on to be heard on th script of the record from the Supreme C the State of Oregon, and was argued c sel. On consideration whereof It is o ordered and adjudged by this Court judgment of the said Supreme Court, cause, be, and the same is hereby, reve costs; and that this cause be, and th is hereby, remanded to the said Supr

with the opinion of this Court.

Per Mr. Justice Brewer.

The Juragua Iron Co., Limited. Appeal from the Court of Claims.

314. vs. Appellant,

The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Harlan.

Smithsonian Institution et al., On consideration of the motion to advance this cause, It is now here ordered by the Court that

613. vs. Plaintiffs in Error,

Hamaliel C. St. John, as Executor &c. Trustee &c., et al.

said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 5th, next, after the cases heretofore assigned for that day.

Per Mr. Justice Harlan.

(The Chief Justice took no part in the disposition of this motion.)

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	The United States,	said mo
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	John A. Corbett et al.	is hereb
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598	vs. Plaintiff in Error.	assigned
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	The United States,	case, on
615 & 616	vs. Plaintiff in Error.	October 1
	Silden B. Stevenson et al.	after the
	The United States,	heretofo
614.	vs. Plaintiff in Error.	for that
	Harvey Sutton et al.	

per Mr. Chief Just

	The United States,	On consideral
660	vs. Appellant,	the motion t
	The American Tobacco	these cases,
	Company et al.	here ordered
	The American Tobacco	Court that sa
	Company et al.,	tion be, and
661.	vs. Appellants.	is hereby, gra
	The United States.	the cases assi
		for argument

day October 12th, next, after the cases

65 Josiah Cowden, Trustee &c. vs. William Ritz. Appellant

It is now here ordered by the Court that a writ of certiorari issue to bring into the record the assignment of errors upon which the Trustee appealed from the order and judgment of the District Court to the Circuit Court of Appeals. Counsel for the appellant are requested to file a printed brief within fifteen days from this date upon the subject of the jurisdiction of this Court and the Circuit Court of Appeals to entertain this cause by appeal or otherwise, and counsel for the appellee are allowed five days to file a reply thereto, if they shall be so advised.

Per Mr. Chief Justice Fuller.

67 Albert L. Johnson, Plaintiff in Error vs. William Musser.

In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

67. Albert L. Johnson, Plaintiff in Error, vs. William Mueser. On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

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8 & 9. E. & G. Atkins & Co., Appellants & Plaintiffs in Error, vs. E. B. Moore, Commissioner of Patents. Appeal from and writ of error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal and the writ of error in this cause be, and the same are hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

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6. Marcellus Thomas, Plaintiff in Error, vs. The State of Texas. In Error to the Court of Criminal Appeals of the State of Texas.

of the record from the Court of Criminal Appeals of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Criminal Appeals, in this cause, be, and the same is hereby, affirmed with cost.

Per Mr. Chief Justice Fuller.

Laurel Oil & Gas Co.,
Appellant,
vs.
Robert W. Morrison, Charles W. S. Cobb, John E. McKinney et al.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

195.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Toy Toy,
Appellant,
vs.
C. B. Hopkins, United States Marshal for the Western District of Washington.

Appeal from the Circuit Court of the United States for the Western District of Washington.

49

script of the record from the Circuit
the United States for the Western D
Washington, and was argued by cou
consideration whereof, It is now h
adjudged, and decreed by this Court
the final order of the said Circuit Co
this cause be, and the same is hereb
with costs.

per Mr. Chief Justice

No. 138. The United States, Petitioners, vs. Daniel J. Kimer et al

The petition
writ of certi
herein was
to the consid
of the Court by Mr. Solicitor General
in support of the same.

No. 61. Mrs. Frances E. Waterman Wife, &c., Appellant, vs. The Canal-Louisiana Bank & Trust Co., Executor &c., et al.

On mot
Mr. E.
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Court that this cause be, and the sa
hereby, advanced, pursuant to the

Mrs. Frances E. Waterman's Wife &c.,
638. vs. Appellant;
The Canal-Louisiana Bank & Trust Co., Executor &c., et al.

This cause was submitted to the consideration of the court on the record and printed arguments by Mr. E. Howard McCaleb, Jr., and Mr. E. Howard McCaleb, of counsel for the appellant, and Mr. Edgar H. Farrar, Mr. James McConnell, Mr. Charles E. Fenner, Mr. George C. Walsh, Mr. George H. Terriberry, Mr. H. Garland Dupré, Mr. Walter Guion and Mr. Victor Leovy, of counsel for the appellees.

The Baltimore & Ohio Railroad Company,
695 vs.
The Interstate Commerce Commission.

Mr. George E. Hamilton, of counsel for the Baltimore & Ohio Railroad Company, submitted to the consideration of the court a motion to advance this cause.

The Interstate Commerce Commission,
501. vs. Appellant.
The Chicago & Alton Railroad Co.
The Interstate Commerce Commission,
502. vs. Appellant.

On motion of Mr. Frederic D. McKenney leave is hereby granted counsel for

Tuesday, February 23d, 1909.

Railroad Company to file a printed
in on behalf of the contention of th

Oswald to Ludwig as
Secretary of State of the
State of Arkansas.

233. vs. Appellant.

The Western Union
Telegraph Company.

Mr. W. C.
in behalf
for the app
mitted to
sideration
court a
advance

for argument with case No. 114 6.

The General Fireproofing Co.,

686. vs. Petitioner.

The Expanded Metal Co.

On mo
William
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It is ordered by the court that this
and the same is hereby advanced
with case No. 66, as one case.

Ex parte: In the matter of
the Hudson Oil & Supply Co.,

Original. Petitioner,

Mr. D
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for the
submi

consideration of the Court a motion
to file a petition for a writ of prohib

Ex parte: In the matter of Frank McWilliams, Original Petitioner. Mr. Richard D. Currier, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition herein.

Ex parte: In the matter of Mary Hatch Rigge, Administratrix &c., Original Petitioner. Mr. Benjamin S. Catchings, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

710 The Macon Grocery Co., et al., vs. Appellants, The Atlantic Coast Line Railroad Co., et al. Mr. Frank S. Bright, in behalf of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

672 Elizabeth M. McGilvra et al., vs. Appellants, E. W. Ross as State Land Commissioner, et al. Mr. A. B. Browne, in behalf of counsel submitted to the consideration

116. The People of the State of New York ex rel. The New York Electric Lines Co., vs. William B. Ellison, Commissioner etc., et al. (Plaintiff in Error.)

On motion of Mr. Frederic D. McKenney, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed temporarily.

720. Bernard Macfadden vs. The United States. Petitioner

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry M. Earle in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

617. N. V. Mercer, John Crosby, and A. A. Chaffee, Trustees in bankruptcy of Western Improvement Co., bankrupt, vs. Monitor Drill Company. Appellants,

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed. Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this

Edward Bonner et al.,
102. vs. Plaintiffs in Error.
Henry F. Gorman, Administrator etc., et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James P. Clarke, of counsel for the plaintiffs in error, and Mr. John Harling, of counsel for the defendants in error.

State of Missouri,
6 Original. vs. Complainant.
State of Kansas.

This cause was argued by Mr. Hunter M. Merriwether and Mr. Elliott W. Major of counsel for the complainant. No brief was filed for the defendant.

The Delaware & Hudson Co.,
116. vs.
The Albany & Susquehanna Railroad Company et al.

The argument of this cause was commenced by Mr. James H. Beck, of counsel for the Delaware & Hudson Company.

Proclamation being made, the Court is adjourned

Wednesday, February 24th, 1904

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Joe T. Robinson, it is ordered that Thomas S. Buzbee, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. B. Randell, it is ordered that Judson H. Wood, Esquire, of Sherman, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morris Brown, it is ordered that Frank Crawford, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

501 The Interstate Commerce Commission vs. Appellant. / The Chicago & Alton Railroad Co.
502 The Interstate Commerce Commission, vs. Appellant. / The Illinois Central Railroad Co.

It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Tuesday, October 12th, next after the cases heretofore assigned for that day.

695. The Baltimore & Ohio Railroad Co., vs. The Interstate Commerce Commission. / The Baltimore & Ohio Railroad Co., et al., vs. Plaintiffs in Error; / 611 The U. S. ex rel. Pittsburg Coal Co., et al.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on Tuesday, October 12th, next, in connection with cases

553	The Texas & Pacific Railway Co. and Edward A. Tennison and Co. R. Buddy, vs. B. F. Allen.	In Error to the Supreme Court of the State of Texas.

This cause having been called to the attention of the Court by Mr. W. L. Hall, of counsel for the plaintiffs in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

116	The Delaware & Hudson Co. vs. The Albany & Susquehanna Railroad Co., et al.	The argument of this cause was continued by Mr. James M. Beck, of counsel for the Delaware & Hudson Company, and Mr. E. Carmalee Pruyn of counsel for the Albany & Susquehanna Railroad Company et al., and concluded by Mr. James M. Beck, of counsel for the Delaware & Hudson Company. Leave was granted counsel for both sides to file additional briefs.

Adam B. Siler et al., as the Railroad Commission of Kentucky,

321 vs. Appellants,

The Louisville & Nashville Railroad Company.

Adam B. Siler et al., as the Railroad Commission of Kentucky,

322 vs. Appellants,

Illinois Central Railroad Co.

Adam B. Siler et al., as the Railroad Commission of Kentucky,

323 vs. Appellants,

Southern Railway in Kentucky.

Adam B. Siler et al., as the Railroad Commission of Kentucky,

324 vs. Appellants,

Cincinnati, New Orleans & Texas Pacific Railway Co.

The argument of these cases was commenced by Mr. C. C. McChord of counsel for the appellants.

Proclamation being made, the Court is adjourned

Thursday, February 25th, 1904.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

521. Adam T. Siler et al., as the Railroad Commission of Kentucky. vs. Appellants, Louisville & Nashville Railroad Company.

522. Adam T. Siler et al., as the Railroad Commission of Kentucky. vs. Appellants, Illinois Central Railroad Co. Adam T. Siler et al., as the Railroad Commission of

The argument of these cases was continued by Mr. Lo. C. McChord, of counsel for the appellants; Mr. Henry L. Stone, of counsel for the Louisville & Nashville Railroad Company; Mr. John Galvin, of counsel for the Cincinnati

No. 23.	vs. Appellants, Southern Railway in Kentucky.) Adam B. Silvertal, as the Railroad Commission of Kentucky.	Pacific Railway Company, and Mr. Robert H. Winn, of counsel for the appellants.
No. 24.	vs. Appellants, Cincinnati, New Orleans & Texas Pacific Railway Co.)	

Proclamation being made, the Court is adjourned

Friday, February 26th, 1904.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. R. W. Bonynge, it is ordered that Warren A. Haggott, Esquire, of Idaho Springs, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. S. Burleson, it is ordered that Carlos Bee, Esquire, of San Antonio, State of Texas, and Richard Harvey Johnson, Esquire, of Boise, State of Idaho, be admitted to practice as attorneys and counsellors of this

117 Albert A. Rucker, Plaintiff in Error, vs. The Escanaba Timber Land Company. In Error to the Supreme Court of the State of Michigan.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

521 Adam T. Siler et al., as the Railroad Commission of Kentucky, Appellants, vs. Louisville & Nashville Railroad Co.

522 Adam T. Siler et al., as the Railroad Commission of Kentucky, Appellants, vs. Illinois Central Railroad Co.

523 Adam T. Siler et al., as the Railroad Commission of Kentucky, Appellants, vs. Southern Railway in Kentucky.

524 Adam T. Siler et al., as the Railroad Commission of Kentucky, Appellants, vs.

The argument of this case was continued by Mr. Edmund F. Trabue of counsel for the Illinois Central Railroad Company, and concluded by Mr. C. C. McChord, of counsel for the appellants.

625. W. J. Murray et al., vs. Petitioners, The Wilson Distilling Company et al.
605. W. J. Murray et al., vs. Plaintiffs in Error, The State of South Carolina ex rel. A. W. Ray, Trustee.

On motion of Mr. D. W. Rountree, of counsel, It is ordered that three counsel be permitted to argue these cases orally for the respondents and defendant in error.

625 W. J. Murray et al., vs. Petitioners, The Wilson Distilling Company et al
605. W. J. Murray et al., vs. Plaintiffs in Error. The State of South Carolina ex rel. A. W. Ray, Trustee

The argument of these cases was commenced by Mr. B. L. Abney, of counsel for the petitioners, and continued by Mr. A. S. Barnard, of counsel for the respondents, and Mr. D. W. Rountree, of counsel for the petitioners and plaintiffs in Error.

(Proclamation being made, the Court is adjourned

Monday, March 1st, 1909.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that Otis N. Davies, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that George M. Hoffheimer, Esquire, of Clarksburg, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Lynch, it is ordered that Moses H. Cliff, Esquire, of Chattanooga State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Owen, it is ordered that Elmer L. Fullon, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. F. Colladay, it is ordered that Joseph H. Hedrick, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Atchison, Topeka & Santa Fe Railway Co., Plaintiff in Error,
vs.
George A. Bowers.

In Error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas.

64

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas, and was argued by counsel. On

and adjudged by this Court that the judgment of the said Court of Civil Appeals, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

Dissenting:
Mr. Justice Holmes
Mr. Justice McKenna.

The Western Union Telegraph Company, Plaintiff in Error. vs. Sid Wilson

65

In Error to the Corporation Court of the City of Radford, State of Virginia

This cause came on to be heard on the transcript of the record from the Corporation Court of the City of Radford, State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Holmes.

Dissenting:
Mr. Justice Brewer
Mr. Justice Moody.

The Equitable Life Assurance Society of the United States, Petitioner, vs. J. Willcox Brown. — Writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

No. 74.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that the decree of the Circuit Court of the United States for the Southern District of New York be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court.

Per Mr. Justice Peckham

(Mr. Justice Day, not having heard the case, took no part in its decision.)

Ex parte: In the matter of the Hudson Oil & Supply Co., Petitioner. — On consideration of the motion for leave to file a petition for a writ of prohibition herein, It is now here ordered by the Court that said motion be, and the same is

Original.

Ex parte: In the matter of Frank McWilliams, Petitioner — On consideration of the motion for leave to file a petition for a writ of prohibition herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Original

per Mr. Chief Justice Fuller

Ex parte: In the matter of Mary Hatch Riggs, as Administratrix, etc., of Clarence B. Riggs, deceased, Petitioner, — On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

11, Original

per Mr. Chief Justice Fuller

Ex parte: In the matter of Mary Hatch Riggs, as Administratrix, etc of Clarence B. Riggs, deceased, Petitioner — On consideration of the petition for a writ of mandamus herein, It is now here ordered by the Court that cause be shown by the Honorable George C. Holt and the Honorable Charles M. Hough, District Judges of the United States for the Southern District of New York, and

11, Original

the Southern District of New York, before this Court at the City of Washington, on Monday, March 15th, 1909, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petitioners should not be granted.

per Mr. Chief Justice Fuller.

Oswald C. Ludwig, Secretary of State, &c., vs. Appellant.
2 5 3. The Western Union Telegraph Co.

On consideration of the motion to advance this cause for hearing with case No. 146, as one case, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Elizabeth M. McGilvra et al., vs. Appellants,
6 7 2. E. W. Ross, State Land Commissioner, &c., et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 12th, next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Macon Grocery Co. et al. vs. Atlantic Coast Line Railroad Company. Appellants.

No. 710. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 12th, next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Bernard Macfadden vs. The United States. Petitioner,

No. 720. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The United States. vs. Daniel J. Riner et al. Petitioner

No. 730. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

731. Grand Trunk Western Railway Company, Petitioner, vs. John F. Devine, Administrator, &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George W. Kretzinger in support of the same, and Mr. Edward Maher in opposition thereto.

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466. Duryea Power Company, bankrupt, &c., Appellant, vs. Hubert M. Sternbergh.

Mr. F. W. Brandenburg in behalf of counsel for the appellant, submitted to the consideration of the Court a suggestion of diminution of the record and motion for a writ of certiorari herein.

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736. The Rubber Tire Wheel Co., et al., Petitioners, vs. The Goodyear Tire & Rubber Co., et al.

The petition for a writ of certiorari herein was submitted to the consider-

Clarence B. Symmes, Mr. Frederick P. Fish, Mr. Thomas Bakewell, Mr. Border Bowman and Mr. Charles W. Stapleton in support of the same, and Mr. A. A. Poulmin in opposition thereto.

734. Dowagiac Manufacturing Company, Petitioners vs. McSherry Manufacturing Company et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Fred L. Chappell and Mr. Morison R. Waite in support of the same, and Mr. E. E. Wood and Mr. Joseph Wilby in opposition thereto.

733. Laurence Johnson & Co., Petitioners vs. The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Howard T. Walden and Mr. Henry J. Webster in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

Monday, March 1st, 1909, continued

625.	W. J. Murray et al., vs. Petitioners Wilson Distilling Co. et al.	The argument of these cases was continued by Mr. D. W. Rountree, of counsel for the petitioners, and Mr. J. Moultrie Mordecai, of counsel for the respondents, and concluded by Mr. W. F. Stevenson, of counsel for the petitioners and plaintiffs in error.
626.	W. J. Murray et al., vs. Plaintiffs in Error, State of South Carolina ex rel. A. W. Ray, Trustee	
653.	Joseph Keller, vs. Plaintiff in Error, The United States.	These cases were argued by Mr. Benjamin L. Bucknach, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Fowler, of counsel for the defendant in error.
654.	Louis Ullman, vs. Plaintiff in Error, The United States.	

Proclamation being made the Court is adjourned

Tuesday, March 2d, 1909

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. S. H. Piles, it is ordered that Douglas C. Conover and William Wray, Esquires, of Seattle, State of Washington, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. C. Campbell, it is ordered that William C. Reid, Esquire, of Roswell, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

by Mr. Charles E. Townsend it is ordered that William L. McAran, Esquire, of Petersburg, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph J. Russell, it is ordered that James H. Murphy, Esquire, of Platteville, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

626. William Hepner, vs. The United States. This cause was argued by Mr. Assistant to the Attorney General Ellis, of counsel for the United States, and submitted on a printed argument by Mr. S. P. McConnell, of counsel for Hepner.

1, Original. The United States of America, Complainant, vs. J. F. Shipp et al. On motion of Mr. Solicitor General Hoyt, of counsel for the complainant:

It is now here ordered by the Court that the information herein be, and the same is hereby, dismissed as to the defendant, Frank Jones.

per Mr. Chief Justice Fuller.

The United States of America, Complainant, vs. J. F. Shipp et al. } No. Original

On motion of Mr. J. J. Lynch, of counsel for the defendants

It is ordered by the Court that one hour additional time be allowed counsel on each side for the argument of this case, and that five counsel be permitted to argue the case orally on behalf of the defendants.

The United States of America, Complainant, vs. J. F. Shipp et al. } No. Original

The argument of this cause was commenced by Mr. Solicitor General Hoyt, of counsel for the complainant, and continued by Mr. J. J. Lynch and Mr. G. W. Chamlee, of counsel for the defendants.

Proclamation being made, the Court is adjourned

Wednesday, March 3d, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Oliver Wendell Holmes
William R. Day. Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that James L. Bunnell, Esquire, of Pittsburg State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry D. Clayton, it is ordered that Obed Collier Dosier, Esquire, of Enterprise, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be-

Bernard Fitche, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert Parsons, it is ordered that Ezra P. Prentice, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Heber J. May, it is ordered that George W. Boyer, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathan W. McChesney, it is ordered that Abel Davis, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. T. Fisher, it is ordered that Laurence Bond, Esquire, of Boston, State of Massachusetts, and Benjamin Slade, Esquire

to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that Adrian Hight David, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

5. Original — The United States of America, Complainant, vs. J. F. Shipp et al. — The argument of this cause was continued by Mr. L. W. Chamlee, Mr. T. Pope Shepherd, Mr. Moses A. Clift and Mr. Robert B. Cook, of counsel for the defendants, and concluded by Mr. Attorney General Bonaparte, of counsel for the complainant.

Proclamation being made, the Court is adjourned

Thursday, March 4th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Oliver Wendell Holmes Justices
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Chief Justice announced that the Court would take a recess for the purpose of attending the Inauguration of the President of the United States.

The oath of office was administered to the Honorable William Howard Taft as President of the United States, by the Chief Justice, and the Court re-convened.

Proclamation being made, the Court is adjourned

Friday, March 5th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Edward D. White
Rufus W. Peckham
Oliver Wendell Holmes
William R. Day
William H. Moody.
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. S. M. Sparkman, it is ordered that C. A. Stephens, Esquire, of Jasper, and Otis R. Parker, Esquire, of Fort Pierce, State of Florida, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Judson Harmon, it is ordered that Van A. Snyder, Esquire, of Lancaster, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Henry Wilson, it is ordered that Thomas R. Bateman, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly,

On motion first made to the Court in this behalf by Wm. Melville Church, it is ordered that George H. Allan, Esquire, of Portland, State of Maine, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Maynard F. Stiles, it is ordered that George Vivian Smith, Esquire, of New York City, and Frederick B. Lathrop, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin Carter, it is ordered that Paul W. Linebarger, Alfred O. Erickson, William A. Dellenback and Joseph R. Burns, Esquires, of Chicago, State of Illinois, B. M. Allen, Esquire, of Birmingham, State of Alabama, and F. Carter Pope, Esquire, of Washington, District of Columbia, be admitted

this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry C. Morris, it is ordered that Frank Wentworth Leavitt, W. H. Utt, Philip J. Maguire and James Edgar Brown, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Cameron M. Kay, Esquire, of Palestine, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Townsend, it is ordered that Merton Fitzpatrick, Esquire, of Hillsdale, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank P. Flint, it is ordered that Willard F. Williamson Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Dudley, it is ordered that Alfred Dudley Dennison, Esquire, of Johnstown, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Borah, it is ordered that John T. Morrison, Esquire, of Boise, State of Idaho, be admitted to practice as an attorney, and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry E. Davis, it is ordered that Nash Rockwood, Esquire, of Saratoga Springs, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. R. Cobb, it is ordered that George A. Bond, Esquire, of Syracuse, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that

of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

142.	The United States, vs. William K. Mason et al.	Plaintiff in Error.

This cause was argued by Mr. Assist. Fowler ant Attorney General, of counsel for the plaintiff in error, and Mr. John M. Waldron, of counsel for the defendants in error.

103.	Mary Guiseppa Raffaelo Maiorano, vs. The Baltimore & Ohio Railroad Company.	Plaintiff in Error.

The argument of this cause was commenced by Mr. George C. Broadshaw, (by special leave of the Court) of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Monday, March 5th 1900.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that Charles D. Sinnes, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Carter, it is ordered that William A. Poorman, Esquire, of Helena, State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Fowler, it is ordered that John M. Thornburgh, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Patrick J. Farrell, it is ordered that Frank E. Miles, Esquire, of Newport, and Gilbert A. Davis and Gilbert F. Davis, Esquires, of Windsor, State of Vermont, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Daish, it is ordered that Theodore C. Lindsey, Jr., Esquire, of Dayton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Solicitor General presented to the Court Honorable George Wickersham, Attorney General and his commission was ordered to be recorded, as follows, viz:

William Howard Taft,

President of the United States of America.

To all who shall see these presents, Greeting:

Know Ye, that reposing special trust and

abilities of George W. Wickersham, of New York, I have nominated, and, by and with the advice and consent of the Senate, do appoint him Attorney General and do authorize and empower him to execute and fulfil the duties of that Office according to law, and to have and to hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto him, the said George W. Wickersham during the pleasure of the President of the United States for the time being.

In Testimony Where of, I have caused these Letters to be made Patent, and the Seal of the United States to be hereunto affixed.

Given under my hand, at the City of Washington, the fifth day of March, in the year of our Lord one thousand, nine hundred and nine, and of the Independence of the United States of America the one hundred and thirty-third.

(Seal)

By the President:

P. C. Knox,
Secretary of State.

Wm. H. Taft.

Monday, March 8th, 1909, continued

Mammoth Mining Co., Plaintiff in Error, vs. Grand Central Mining Co., a Utah Corporation, and Grand Central Mining Co., a Colorado Corporation. In Error to the Supreme Court of the State of Utah and the District Court of Juab County, State of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Utah and the District Court of Juab County, State of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writs of error in this cause, be, and the same are hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes.

State of Washington, Complainant, vs. State of Oregon. It is ordered by the Court that leave be, and the same is hereby, granted to file a petition for rehearing herein, and that counsel for both parties be allowed forty days within which to file briefs on said petition.

Per Mr. Chief Justice Fuller.

466. Duryea Power Co. Bankrupt &c. Appellant. vs. Herbert M. Sternberg. On consideration of the suggestion of a diminution of the record and motion for a writ of certiorari herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted without prejudice, the certified copy of the paper presented with said suggestion and motion to stand as a return to the writ of certiorari.

per Mr. Chief Justice Fuller.

Grand Trunk Western Railway Co., Petitioner, vs. John F. Devine, Administrator de bonis non of the estate of Charles Leiferman, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

738. Lawrence Johnson & Co., Petitioners, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, & it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

739. Dowagiac Manufacturing Co., Petitioner, vs. McSherry Manufacturing Co., C. B. Oglesby, and J. O. Eichelberger. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, & it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The Rubber Tire Wheel Co. and Consolidated Rubber Tire Co., Petitioners, vs. The Goodyear Tire & Rubber Co. et al

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

Feb.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

*

688 Patrick Lennox, Petitioner, vs. Allen Lane Co. et al.
689 Patrick Lennox, Petitioner, vs. Allen Lane Co. et al
690 Patrick Lennox, Petitioner, vs. Melville L. Cobb et al
691 Patrick Lennox, Petitioner, vs. Melville L. Cobb et al
692 Patrick Lennox, Petitioner, vs. George A. Rosencrans et al
693 Patrick Lennox, Petitioner, vs. George A. Rosencrans et al

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. John C. Leahy in support of the same, and Mr. William A. Dunbar and Mr. Frederick P. Fish in opposition thereto.

The Gila Bend Reservoir & Irrigation Co., Appellant, vs. W. A. Linnet al.	Mr. William C. Prentiss, in behalf of counsel for the appellant, submitted to the consideration of the court a motion for leave to file
119 of Oct. Term 1908.	
Gila Bend Reservoir & Irrigation Co., Appellant, vs. The Gila Water Company.	
226 of Oct. Term 1908.	petitions for leave to file bills of review in the lower court.

Ex parte: In the matter of Frank D. Winn, Petitioner	Mr. John Spalding Flannery, in behalf of counsel, submitted to the
Original.	consideration of the court a motion for leave to file a petition for a writ of mandamus herein.

Maria Guiseppa Raffaelo Maivano, Plaintiff in Error, vs. The Baltimore & Ohio Rail-road Co.	The argument of this cause was continued by Mr George C. Bradshaw (by special leave of
103.	the court) of counsel for the plaintiff in error, and concluded by Mr. Johns McCleave, of counsel for the defendant in error.

104. Southern Railway Co., Plaintiff in Error, vs. St. Louis Hay & Grain Co. — The argument of this cause was commenced by Mr. C. B. Northrop of counsel for the plaintiff in error, and continued by Mr. P. J. Farrell and Mr. L. C. Whitney, of counsel for the defendant in error.

* 642. The United States, Plaintiff in Error, vs. William R. Mason et al. — On motion of Mr. Assistant Attorney General Fowler, of counsel for the plaintiff in error, leave is hereby granted him to file a supplemental brief in this cause.

Proclamation being made, the court is adjourned

Tuesday, March 9th, 1903.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that George S. Grimes, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Goodwin, it is ordered that Percy N. H. Lombard, Esquire, of Old Orchard, State of Maine, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Tuesday, March 9th, 1909, continued

Southern Railway Co.,
vs. Plaintiff in Error.
St. Louis Hay & Grain Co.

The argument of this cause was continued by Mr. L. O. Whitlock of counsel for the defendant in error, and concluded by Mr. Edward C. Kramer, of counsel for the plaintiff in error.

No. 101. Molyneaux L. Turner,
vs. Appellant & Plaintiff in Error,
The American Security & Trust Co., et al.

The argument of this cause was commenced by Mr. Charles F. Carusi of counsel for the appellant and plaintiff in error, and continued by Mr. Staulon C. Pulle and Mr. William F. Mattingly, of counsel for the appellee and defendant in error.

Proclamation being made, the Court is ad-

Wednesday, March 10th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. J. Darlington, it is ordered that George E. Kirk, Esquire, of Toledo, State of Ohio, and Jules L. Rosenberger, Esquire, of Kansas City, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Knight, it is ordered that Charles A. Snow, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Molyneaux L. Turner. The argument
101. vs. Appellant & Plaintiff in Error. of this cause
American Security & Trust Co. was concluded
et al. by Mr. J. J.
Darlington
of counsel for the appellant and plaintiff in error.

J. M. Ceballos & Co. The argument of this
108. vs. Appellants, cause was continued
The United States. by Mr. William V.
Rowe, of counsel for
the appellants; continued by Mr. Assistant Attorney John L. Thompson, of counsel for the appellee, and concluded by Mr. John J. Hemphill, of counsel for the appellants.

Eleanor Erica Stronget vir, The argument
110 vs. Plaintiffs in Error. of this cause
Francisco Gutierrez Repide was commenced
by Mr. Henry
E. Davis, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned

Thursday, March 11th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Edward D. White
Rufus W. Peckham — Associate
Joseph McKenna — Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. E. Hilton Jackson, it is ordered that William Henry Wilder, Esquire, of Gardner, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Russell, it is ordered that William B. De Tuw, Esquire, of Vinita, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

half by Mr. J. C. Floyd, it is ordered that J. C. Brown, Esquire of Lagrange, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Wallace Brown, it is ordered that Thomas B. Wilson, Esquire of Bradford, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

110 Eleanor Erica Stronge et vir. vs. Francisco Gutierrez Repide, Plaintiffs in Error. The argument of this cause was continued by Mr. Henry E. Davis, of counsel for the plaintiffs in error, and Mr. George E. Hamilton, of counsel for the defendant in error, and concluded by Mr. Henry E. Davis, of counsel for the plaintiffs in error.

111 The U. S. ex rel. Emily E. Parish, Executrix &c., vs. George Bruce Cortelyon, Secretary of the Treasury, Plaintiff in Error. Mr. Holmes Conrad of counsel for the plaintiff in error suggested the resignation of George Bruce Cortelyon and the appointment of Franklin

tary of the Treasury, and moved the Court to make the said Franklin MacVeagh as such Secretary the party defendant in error in this cause. Whereupon, &c. it is now here ordered by the Court that Franklin MacVeagh Secretary of the Treasury be, and he is hereby, made the party defendant in error in this cause.

111. The U. S. ex rel. Emily E. Sarah, Executrix &c., vs. Franklin MacVeagh, Secretary of the Treasury.

Plaintiff in Error,

The argument of this cause was commenced by Mr. Holmes Conrad, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Friday March 12th, 1909

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. E. Borah, it is ordered that Ralph Edmunds, Esquire, of Idaho Falls, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that Charles B. Morrison, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

111. The U. S. ex rel. Emily E. Parish, Executrix &c., vs. Franklin MacVeagh, Secretary of the Treasury. (Plaintiff in Error.)

The argument of this cause was continued by Mr. Holmes Conrad, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Russell, of counsel for the defendant in error, and concluded by Mr. Leigh Robinson, of counsel for the plaintiff in error.

20. The Merchants' National Bank of Baltimore, Appellant, vs. The United States.

The argument of this cause was commenced by Mr. R. E. Lee Marshall, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Monday, March 8th, 1909

Pursuant to adjournment, the Court met today at the Capitol.

Present

The Honorable John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Oliver Wendell Holmes Justices
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Wade H. Ellis it is ordered that William Greenough, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. D. Crumpacker, it is ordered that John A. Foster, Esquire, of Evansville, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

that A. Parker Smith, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Pope Humphrey, it is ordered that William H. Holt and Matthew J. Holt, Esquires, of Louisville, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKinney, it is ordered that Melvin G. Spurry, Esquire, of Clarksburg, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Mr. Justice Harlan announced that the Court will take a recess from Monday, the 22d instant, until Monday, April 5th, next.

Ex parte: In the matter of Frank D. Winn. Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus

12 Original

herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Ex parte: In the matter of Isaac D. Winn, 12 Original Petitioner. On consideration of the petition for a writ of mandamus herein &c. it is now here ordered by the court that cause be shown by the Honorable Smith McPherson Judge of the District Court of the United States for the Southern District of Iowa Central Division, and the Circuit Court of the United States for the Southern District of Iowa, Central Division, before this court at the City of Washington on Monday, April 5th, 1909, at 12 o'clock noon of that day or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted

per Mr Justice Harlan

The Gila Bend Reservoir & Irrigation Co., 199 Oct Term 1908 vs. Appellant. N. N. Linnet et al.

Gila Bend Reservoir & Irrigation Co., 226 Oct Term 1908 vs. Appellant. The Gila Water Co

On consideration of the motion for leave to file petitions for leave to file bills of review in the lower court in these cases, It is now here ordered by the court that said motion be, and the same is hereby, denied

per Mr. Justice Harlan

688 Patrick Lennox, Petitioner vs. Allen-Lane Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, &c it is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

689 Patrick Lennox, Petitioner, vs. Allen-Lane Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, &c it is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Justice Harlan.

690 Patrick Lennox, Petitioner, vs. Melville L. Cobb et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan

691. Patrick Lennox, Petitioner, vs. Melville L. Cobb et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan

692. Patrick Lennox, Petitioner, vs. George L. Rosencrantz et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as

is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

693. Patrick Lennox, Petitioner vs. George S. Rosencrantz et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

695. J. E. Fleming et al., Appellants, vs. Green McCurtain et al. Mr. Assistant to the Attorney General Ellis submitted to the consideration of the Court a motion to advance this cause.

727. Frederick A. Peckham, Appellant, vs. William Henkel, United States Marshal &c. et al.

728. Moses Haas, Appellant, vs. William Henkel, United States Marshal &c. et al.

Mr. Assistant to the Attorney General Ellis submitted to the consideration of the Court motions to advance these causes, and leave was granted Mr. Nash Rockwood,

lants to file a brief in opposition thereto on or before tomorrow.

The State of North Carolina, Complainant,
Original. vs.
The State of Tennessee.

Mr. Theodore F. Davidson of counsel, for the complainant, submitted to the consideration of the Court a motion for leave to file a bill of complaint herein.

Abram J. Elkus, Petitioner
In the matter of the Madson Steel Co. bankrupt.

Mr. Charles Henry Butler, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause and assign the same for argument with case No. 236.

The petitions for writs of certiorari in these cases were submitted to the consideration of the Court on printed arguments by Mr. Hector M. Hitchings in support of the same, and Mr. A. Leo Weil and Mr.

745 Frank J. Logan et al., Appellants,
vs.
Farmers' Deposit National Bank of Pittsburgh, Pa., et al.

746 Rolling Mill Co., of America et al., Petitioners
vs
Canton Roll & Machine Co., et al.

681	American Banana Co., Plaintiff in Error, vs. United Fruit Co	The motion to advance this cause was submitted to the consideration of the Court on printed arguments by Mr. Everett P. Wheeler, of counsel for the plaintiff in error, and Mr. Moorfield Storey, Mr. Henry W. Taft and Mr. Walter B. Spencer, of counsel for the defendant in error.
685	Third National Bank of Cincinnati et al., Petitioners vs. Zella Conaway, Administratrix &c., et al.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Melvin G. Sperry and Mr. George M. Hoffheimer, in support of the same, and Mr. John Bassel in opposition thereto.
21	The Merchants' National Bank of Baltimore, Appellant, vs. The United States.	The argument of this cause was continued by Mr. Philip M. Stafford and Mr. Assistant Attorney General John D. Thompson, of counsel for the appellee, and concluded by Mr. James H. Hayden, of counsel for the appellant.

112.	Sass & Crawford, Plaintiffs in Error. vs. Minnie Thomas and Charley Thomas.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. A. Ledbetter, of counsel for the plaintiffs in error, and Mr. A. C. Spence and Mr. W. L. Spence, of counsel for the defendants in error.
113.	James S. Keerl, Plaintiff in Error. vs. The State of Montana.	This cause was argued by Mr. Thomas J. Walsh, of counsel for the plaintiff in error, and Mr. W. H. Poorman, of counsel for the defendant in error.
114.	Commercial Mutual Accident Co., Plaintiff in Error. vs. Mary B. Davis.	The argument of this cause was commenced by Mr. Julius C. Rockenberger, of counsel for the plaintiff in error.

Proclamation being made, the Court is ad-

Tuesday, March 6th, 1909.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable John M. Harlan
David J. Brewer
Edward D. White — Associate
Rufus W. Peckham — Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. E. Borah, it is ordered that Charles M. Kahn, Esquire, of Boise, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Blood Smith, it is ordered that Fred S. Jackson, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf

B. Ricard, Esquire, of Honokaa, Territory of Hawaii, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur L. Bates, it is ordered that Clark Olds, Esquire, of Erie, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

120. The Pullman Company, Plaintiff in Error, vs. The State of Kansas et al. C. C. Coleman, Attorney General &c. On motion of Mr. Charles Blood Smith, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, advanced for argument with case No. 118, as one case.

122. The Edison Electric Co., Appellant, vs. City of Pasadena, City Council of the City of Pasadena, William Waterhouse, Mayor, et al. Appeal from the Circuit Court of the United States for the Southern District of California.

It appearing to the Court that a motion by counsel for the appellant to dismiss this ap-

of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan.

	Commercial Mutual Accident Co.,	The argument of this cause was
114.	vs. Plaintiff in Error,	continued by Mr.
	Mary B. Davis.	Jules C. Rosenberger,

of counsel for the plaintiff in error, and Mr. W. C. Scarritt of counsel for the defendant in error, and concluded by Mr. Jules C. Rosenberger, of counsel for the plaintiff in error.

	Max Selliger.	The argument of
115.	vs. Plaintiff in Error,	this cause was
	The Commonwealth of Kentucky by George A.	commenced by
	Alexander, Revenue Agent.	Mr. J. L. Dodd,

of counsel for the plaintiff in error, and continued by Mr. Matthew J. Holt, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Wednesday, March 15th 1909.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White, Associate
Oliver Wendell Holmes, Justices
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

224. Bradley W. Palmer et al., Petitioners, vs. The State of Texas et al.
359. The Waters-Pierce Oil Co., Plaintiff in Error, vs. The State of Texas
360. The Waters-Pierce Oil Co., Plaintiff in Error, vs. The State of Texas

On motion of Mr. A. B. Browne in behalf of counsel for the petitioners and plaintiff in error, It is ordered by the Court that the mandates in these cases be stayed for two weeks from the 20th instant.

127.	José Elias Santiago, et al., vs. Antonio Pons Noguneras, et al., &c.	Mr. Frederick D. McKenney, of counsel for the plaintiffs in error, suggested the death of José Elias Santiago, one of the plaintiffs in error in these cases, and moved the Court to order Aurisleta Santiago, Clementina Santiago, Florencio Santiago, José Elias Santiago, José Maria Santiago, Leticia Santiago, Ana Luisa Santiago, Julia Santiago, and Teodoro Santiago, children and sole heirs of the said José Elias Santiago, deceased, parties plaintiffs in error in these cases. Whereupon, It is now here ordered by the Court that the said Aurisleta Santiago, Clementina Santiago, Florencio Santiago, José Elias Santiago, José Maria Santiago, Leticia Santiago, Ana Luisa Santiago, Julia Santiago and Teodoro Santiago be, and they are hereby, made parties plaintiffs in error in these cases.
128.	José Elias Santiago, et al., vs. Gil Ramon Gonzalez y Rodriguez,	
129.	José Elias Santiago, et al., vs. Teodoro Moscoso, et ux.	
130.	José Elias Santiago, et al., vs. Ana Semidey, widow of Antonio Costa, et al.	

W. A. Huff, individually and as Trustee for Mattie J. C. Jennings and Edison F. Huff, et al.,
vs. Appellants,
William L. Brandt et al

Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

126

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

Max Silliger,
vs. Plaintiff in Error,
The Commonwealth of Kentucky, by George H. Alexander, Revenue Agent.

115

The argument of this cause was continued by Mr. Mathew J. Holt, of counsel for the defendant in error and concluded by Mr. Alexander Pope Humphrey, of counsel for the plaintiff in error.

Boise Artesian Hot & Cold Water Co. Limited,
vs. Appellant,
Boise City.

131

This cause was argued by Mr. Richard H. Johnson, of counsel for the

Mr. W. E. Borah and Mr. Charles M. Kahn, of counsel for the appellee.

The Western Union Telegraph Co.,
118. vs. Plaintiff in Error,
The State of Kansas ex rel
C. C. Coleman, Attorney General.
The Pullman Company,
120. vs. Plaintiff in Error,
The State of Kansas ex rel
C. C. Coleman, Attorney General.

On motion of Mr. Rush Taggart, of counsel for the Western Union Telegraph Company, It is ordered by the Court that one hour additional time be allowed counsel on each side for the argument of these cases, and that three counsel be permitted to argue the cases orally on behalf of the plaintiffs in error.

The Western Union Telegraph Co.,
118. vs. Plaintiff in Error,
The State of Kansas ex rel
C. C. Coleman, Attorney General.
The Pullman Company,
120. vs. Plaintiff in Error.
The State of Kansas ex rel.
C. C. Coleman, Attorney General.

The argument of these cases was commenced by Mr. Rush Taggart, of counsel for the Western Union Telegraph Company, and continued by Mr. Henry D. Estabrook, of counsel for the Western Union Telegraph Company.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable John M. Harlan
David J. Brewer
Edward D. White Associate
Oliver Wendell Holmes Justices
William R. Day.
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William S. Bennet, it is ordered that Irving L. Ernst, and Benjamin F. Edsall, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

134. Santa Rita Mining Co., Plaintiff in Error, vs. James H. Upton. In Error to the Supreme Court of the Territory of New Mexico.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered

error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan.

118. The Western Union Telegraph Company, Plaintiff in Error, vs. The State of Kansas ex rel. C. C. Coleman, Attorney General

125. The Pullman Company, Plaintiffs in Error, vs. The State of Kansas ex rel. C. C. Coleman, Attorney General.

The argument of these cases was continued by Mr. Henry D. Estabrook, of counsel for the Western Union Telegraph Company, and Mr. Fred S. Jackson, of counsel for the State of Kansas, and concluded by Mr. Frank B. Kellogg, of counsel for the Pullman Company.

66. Expanded Metal Co., et al., Petitioners vs. Eugene S. Bradford et al.

606. The General Fireproofing Co., Petitioner, vs. The Expanded Metal Co. Metal Company et al.

The argument of these cases was commenced by Mr. Ernest Howard Hunter, of counsel for the Expanded

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable John M. Harlan
David J. Brewer.
Edward D. White Associate
Oliver Wendell Holmes Justices
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John G. Johnson, it is ordered that L. Sidney Carrick, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

66. Expanded Metal Co, et al., Petitioners, vs. Eugene S. Bradford et al.
606 The General Fireproofing Co. Petitioners, vs Expanded Metal Co.

The argument of these cases was continued by Mr. Thomas W. Baxewell, of counsel for The General Fireproofing Co and Mr. Ernest Howard Hunter, of counsel for the Expanded Metal Company et al., and

counsel for the The General Fireproofing Co.

120 George C. Goodrich, Appellant, vs. John W. Ferris et al. The argument of this cause was commenced by Mr. John C. Johnson, of counsel for the appellant, and continued by Mr. J. W. Dorsey, of counsel for the appellee.

(Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Rufus W. Peckham Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that Edwin A. Niles, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph B. Church, it is ordered that R. J. McCarty, Esquire, of Dayton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Mason Brown, it is ordered that W. H. Thatcher, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis Burton Harrison, it is ordered that Eugene D. Scribner, Esquire, of Gloversville, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Bernard Macfadden
vs.
The United States.

Application has been made to me to allow a writ of error to the Circuit Court of Appeals for the Third Circuit. At the desire of the petitioner I have referred the application to the full court, and the court orders that the parties be allowed to file briefs on or before April 5th on the single question whether this Court has jurisdiction to review the judgment of the Circuit Court of Appeals on writ of error in this cause.

per Mr. Justice Moody.

State of Missouri,
6, Original. vs. Complainant. In Equity.
State of Kansas.

This cause came on to be heard upon the pleadings and proofs, and was argued by counsel. Whereupon the Court is of opinion that the State of Missouri is not, and that the State of Kansas is, entitled to a decree. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the boundary line dividing the states of Kansas and Missouri north of the confluence of the Kansas River with the Missouri River is the line which begins at the median line of the main channel of the Missouri River where the same is intersected by the fortieth parallel of North Latitude, and follows down the thread and median line of the main channel of the Missouri River southerly and southeasterly to a point where the said median line of the main channel of the Missouri River is intersected by a perpendicular erected from the middle of the Kansas River at its confluence with the Missouri River, and that the State of Kansas has jurisdiction throughout such limits to all the lands under said river west of the median line of the main channel thereof, and to all the islands in said river west of the median line of the

called about two and one half miles north of the mouth of the Kaw River at its confluence with the Missouri River and lying west of the main channel in said river; and that title, possession, sovereignty and jurisdiction of the State of Kansas thereto be, and the same is hereby, forever quieted against the State of Missouri and her officers and citizens; and that the State of Missouri and her officers and citizens be, and they are hereby, permanently enjoined from disturbing the title, possession, jurisdiction and sovereignty of the State of Kansas therein and thereto. It is further ordered that each party pay one-half of the costs in this cause.

per Mr. Justice Holmes.

13, Original. The State of North Carolina, Complainant, vs. The State of Tennessee. On consideration of a motion for leave to file the bill of complaint herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that process issue, returnable on the first Monday of June, next.

per Mr. Chief Justice Fuller.

507. Abram J. Elkus, Petitioner, In the matter of The Madson Steel Company, bankrupt. On consideration of the motion to advance this cause for argument with case No. 226,

by the Court that the said motion be, and the same is hereby, granted, the cases to be heard as one case.

per Mr. Chief Justice Fuller

No. 730. J. E. Fleming et al., Appellants, vs. Green McCurtain et al

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 12th, next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller

No. 686 American Banana Co., Plaintiff in Error, vs. United Fruit Co.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 12th, next.

per Mr. Chief Justice Fuller

727 Frederick A. Peckham, Appellant
vs.
William Henkel, U.S. Marshal, &c.

728 Moses Haas, Appellant
vs.
William Henkel, U.S. Marshal &c.

On consideration of the motions to advance these cases. It is now here ordered by the Court that said motions be, and the same are hereby, granted and the cases assigned for argument on Tuesday, October 12th, next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

731 Third National Bank of Cincinnati, et al., Petitioners,
vs.
Zella Conaway, Administratrix, and W. H. Conaway, Administrator of Charles E. Conaway, deceased, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

No. 715. Frank J. Logan et al., Appellants, vs. Farmers' Deposit National Bank of Pittsburgh et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

No. 716. Rolling Mill Co., of America et al., Petitioners vs. Canton Roll & Machine Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

112. Bass & Crawford. vs. Minnie Thomas and Charley Thomas. — Plaintiffs in Error, In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

458. Romada & Company vs. The United States. — Petitioner, Mr. Solicitor General Hoyt, of counsel for the respondent, submitted to the consideration of the Court a motion to advance this cause.

Feb. 9. Saw Kirkpatrick et al., vs. The St Louis & San Francisco Railroad Co. — Petitioners, The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. L. Sturdevant in support of the same, and Mr. W. F. Evans in opposition thereto.

#10. The Garfield Memorial Hospital, vs. Henry B. F. Macfarland et al, Commissioners of the District of Columbia. Plaintiff in Error, In Error to the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. James A. Hayden, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

#9. Rumford Chemical Works, vs. Hygienic Chemical Co. Petitioner. It is ordered by the Court that this cause be, and the same is hereby, continued to the next term, per stipulation of counsel.

#12. The New York Central & Hudson River Railroad Co., vs. William Schradin, Administrator &c. Plaintiff in Error. The motion to dismiss or affirm in this cause was submitted to

Monday, March 22d, 1909, continued

arguments by Mr. George Vivian Smith in support of the same, and Mr. Charles C. Saulsbury and Mr. Thomas Emery in opposition thereto.

120 George L. Goodrich, Appellant, vs. John W. Ferris et al. The argument of this cause was continued by Mr. Henry E. Davis, of counsel for the appellees, and concluded by Mr. John L. Johnson, of counsel for the appellant, and leave was granted counsel for the appellees to file an additional brief herein, and to counsel for the appellant to file a reply thereto within five days thereafter.

Proclamation being made, the Court is adjourned

Monday, April 8th, 1907.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Lee S. Overman, it is ordered that Thomas J. Jerome and Burton Craige, Esquires, of Salisbury, State of North Carolina, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that E. R. O'Malley, Esquire, of Buffalo, and Jeremiah Evarts Tracy, Esquire, of New York City, State of New York, be admit-

of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. T. Gurney, it is ordered that Guy A. Miller, Esquire, of Des Moines, State of Iowa, and Elmer E. Davis and Harry E. King, Esquires, of Toledo, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Davis, it is ordered that John A. Bloomingdon, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. A. Small, it is ordered that T. D. Savage, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Culberson, it is ordered that Edward Gray, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew Price, it is ordered that C. P. Dorr, Esquire, of Webster Springs, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Harvey, it is ordered that Isaac M. Aron, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Willis Sweet, it is ordered that William H. Hawkins, Esquire, of San Juan, Porto Rico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Frederick B. Campbell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence Maxwell, it is ordered

State of Pennsylvania, and T. Kennedy Helm, Esquire, of Louisville, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Cayetano Coll Cuchi, Esquire, of San Juan, Porto Rico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Clark, it is ordered that L. H. McGill, Esquire, of Beulonville, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Mr. Attorney General Wickersham presented Mr. Lloyd W. Bowers, of Illinois, as Solicitor General of the United States, and it is ordered that his commission be recorded as follows:

William Howard Taft,

President of the United States of America,

To all who shall see these Presents, Greeting:

Know Ye, That reposing special trust and confidence in the integrity and ability of Lloyd W. Bowers, of Illinois, I have nom-

consent of the Senate, do appoint him Solicitor General, and do authorize and empower him to execute and fulfil the duties of that office according to Law, and to have and to hold the said Office, with all the powers, privileges and emoluments thereunto of right appertaining unto him, the said Lloyd W. Bowers. In testimony whereof I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Given under my hand at the City of Washington, the first day of April, in the year of our Lord one thousand nine hundred and nine, and of the Independence of the United States of America the one hundred and thirty-third.

(Seal) Wm. H. Taft.

By the President:
Geo. W. Wickersham,
Attorney General.

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101. Molyneux L. Turner, Appellant & Plaintiff in Error, vs American Security & Trust Co., The Children's Hospital and The Garfield Memorial Hospital. Appeal from and in error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged

of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Moody.

(Mr. Justice Harlan did not take part in the decision of this case.)

	Maria Giuseppa Raffaela Mauriano	In Error to the Supreme Court of the State of Pennsylvania.
103	vs. Plaintiff in Error.	
	The Baltimore & Ohio Railroad Company.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Moody.

	Boise Artesian Hot & Cold Water Co. Limited.	Appeal from the Circuit Court of the United States for the District of Idaho.
131.	vs. Appellant.	
	Boise City.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Idaho, and was argued by counsel. On consideration

and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Moody.

The Chesapeake & Ohio Railway Company, and Maysville & Big Sandy Railroad Company, Plaintiffs in Error, vs. Emma R. McCabe, Administratrix of Peter McCabe, deceased

In Error to the Court of Appeals of the State of Kentucky.

84.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Day.

Dissenting:
Mr. Justice McKenna

93 Josiah Coder, Trustee of the Estate of Alexander Armstrong, Bankrupt, vs. Appellant. William Hile. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Iowa.

per Mr. Justice Day.

111. Commercial Mutual Accident Company, vs Plaintiff in Error, Mary B. Davis. In Error to the Circuit Court of the United States for the Western District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said

hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Missouri.

per Mr. Justice Day.

Max Silliger
vs. Plaintiff in Error,
The Commonwealth of Kentucky, by George H. Alexander, Revenue Agent.

In Error to the Court of Appeals of the State of Kentucky.

185.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Holmes

No 21 — Adam T. Siler, McDougal Ferguson, and Lew D. Tarlton, Constituting the Railroad Commission of Kentucky, Appellants vs. Louisville & Nashville Railroad Co — Appeal from the Circuit Court of the United States for the Eastern District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham

No 22 — Adam T. Siler, McDougal Ferguson, and Lew D. Tarlton, Constituting the Railroad Commission of Kentucky, Appellants, vs. Illinois Central Railroad Co. — Appeal from the Circuit Court of the United States for the Eastern District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the

same is hereby affirmed with costs.

per Mr. Justice Peckham.

Adam T. Siler, McDougal Ferguson and Lew P. Tarlton constituting the Railroad Commission of Kentucky. Appellants, vs. Southern Railway Co. in Kentucky. Appeal from the Circuit Court of the United States for the Eastern District of Kentucky.

No. 223.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Kentucky, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Peckham

Adam T. Siler, McDougal Ferguson and Lew P. Tarlton, constituting the Railroad Commission of Kentucky. Appellants, vs. Cincinnati, New Orleans & Texas Pacific Railway Co. Appeal from the Circuit Court of the United States for the Eastern District of Kentucky.

No. 224.

This cause came on to be heard on the tran-

of the United States for the Eastern District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

620. W. J. Murray, John McSween, and Avery Sutton, constituting the State Dispensary Commission of South Carolina, et al., Petitioners vs. Wilson Distilling Co. et al., and The Fleischmann Company. — On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that the decree of the Circuit Court of the United States for the District of South Carolina be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill of complaint.

Per Mr. Justice White

tion or disposition of this case.)

W. J. Murray, John McSween and Avery Patton, as the State Dispensary Commission. In Error to the Supreme Court of the State of South Carolina.
605. vs. Plaintiffs in Error,
The State of South Carolina ex rel. A. W. Ray, Trustee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White

(Mr. Chief Justice Fuller took no part in the consideration or disposition of this case.)

J. E. Hurley, Cyrus Leland, Jr., and Walter Reeve, Trustee in Bankruptcy of the Estate of the Mount Carmel Coal Co., Bankrupt. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.
95. vs. Appellants,
The Atchison, Topeka & Santa Fe Railway Co., et al.

This cause came on to be heard on the transcript

was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Kansas.

Per Mr. Justice Brewer.

(Mr. Justice Holmes concurs in the judgment.)

113. James S. Kurl, Plaintiff in Error, vs. The State of Montana. In Error to the Supreme Court of the State of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

608. Joseph Keller, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the Northern District of Illinois.

script of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to quash the indictment.

per Mr. Justice Brewer

Dissenting:
Mr. Justice Holmes
Mr. Justice Harlan
Mr. Justice Moody

654. Louis Ullman, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remand-

to quash the indictment.

per Mr. Justice Brewer.

Dissenting:
Mr. Justice Holmes
Mr. Justice Harlan
Mr. Justice Moody.

626. William Hepner, vs. The United States. — On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Harlan.

Dissenting:
Mr. Justice Brewer.

642. The United States, Plaintiff in Error, vs. William R. Mason and Joseph Vanderwerker. — In Error to the District Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the District Court

was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan

Edward Bonner and Edward L. Bonner, Plaintiffs in Error,
102. vs. In Error to the Supreme Court of the State of Arkansas.
Henry P. Norman, Administrator of the estate of Mary A. Cole, deceased, et al.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller

The United States, Petitioner,
362. vs. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.
John W. Dickinson

This cause came on to be heard on the transcript of the record from the United

Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of certiorari in this cause, be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

(Mr. Justice Moody took no part in the consideration and disposition of this cause.)

The Chief Justice announced that the Court will adjourn from Thursday until Monday, next.

458. Komada & Company, Petitioner, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 12, next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

120. The New York Central & Hudson River Railroad Co., Plaintiff in Error, vs. William Schradin, Administrator of Herman Schradin, deceased. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the

the cause on the merits.

per Mr. Chief Justice Fuller

737. Sue Kirkpatrick and Roy Kirkpatrick, Catharine Kirkpatrick, and Lucy Kirkpatrick, by Sue Kirkpatrick, as next friend, Petitioners vs. The St. Louis & San Francisco Railroad Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same It is now here ordered by the Court that said petition be, and the same is hereby denied

per Mr. Chief Justice Fuller

772. United States of America, Petitioner, vs. Daniel Harrigan. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Alfred S. Austrian, of counsel for the petitioner. Mr. Attorney General Wickersham disclaimed any interest in the matter of the

and leave was granted counsel for the petitioner to file suggestions in answer to such disclaimer

No. 732. The Mercantile Trust Co., et al., Appellants, vs. The Texas & Pacific Railway Co., et al. The motion of counsel for the State of Louisiana for leave to file a printed brief and make oral argument in this cause as amici curiae was submitted to the consideration of the Court by Mr. F. C. Zacharie in that behalf.

No. 785. Eagle Oil Company, et al., Petitioners, vs. The Vacuum Oil Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Cornelius D. Scully and Mr. Eugene Mackey in support of the same, and Mr. C. Schuyler Davis and Mr. Howard L. Osgood in opposition thereto.

Original. Ex parte: In the matter of Consolidated Rubber Tire Co., Petitioner. Mr. Charles W. Stapleton, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition herein.

702. Mark Jacobs, Appellant, vs Joseph Beecham. The motion to dismiss or affirm in this cause was submitted to the consideration of the court on the record and printed arguments by Mr. Charles H. Gould in support of the same and Mr. Max J. Kohler in opposition thereto.

703. John B. Heckendorn, Petitioner, vs The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Everit Brown and Mr. A. J. Cockingham in support of the same, and Mr. Solicitor General Bowers in opposition thereto.

704. Acme Harvester Co., Plaintiff in Error, vs Beckman Lumber Co. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. Dannis Taylor in support of the same, and Mr. Edwin A. Krauthoff and Mr. Alexander New in opposition thereto.

704. Fannie Finke et al., vs. Fred Fleming et al. Petitioners, — The petition for a writ of certiorari herein was submitted to the consideration of Court on printed arguments by Mr. F. M. Etheridge, and Mr. J. M. McCormick in support of the same, and Mr. M. E. Locke, Mr. J. W. Terry, Mr. M. M. Crane and Mr. William J. McKie in opposition thereto.

703 Frank Yzbera, vs. Hardesty Manufacturing Co. Petitioner — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Thomas A. Tracy and Mr. Almon Hall in support of the same, and Mr. Melville Church in opposition thereto.

116. The People of the State of New York on the relation of The New York Electric Lines Co., vs. William B. Ellison, Commissioner of Water Supply, Gas and Electricity of the City of New York, et al. Plaintiff in Error, — In Error to the Supreme Court of the State of New York.

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney, in

he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

The People of the State of New York on the relation of The New York Electric Lines Co. vs. Plaintiff in Error, William B. Ellison, Commissioner of Water Supply, Gas and Electricity of the City of New York, et al.

116.

On motion of Mr. Frederic D. McKenney, in behalf of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Isaac A. Caliga vs. Plaintiff in Error, Inter-Ocean Newspaper Co.

200

Mr. Frederic D. McKenney submitted to the consideration of the Court a motion by counsel for the Tribune Company for leave to file a printed brief herein as amicus curiae.

646. María Cruz de Godinez et al. vs. Francis H. Dexter. Appellants, Appeal from the District Court of the United States for Porto Rico.

This cause having been called to the attention of the court by Mr. Frederic D. McKenney, in behalf of counsel, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

646. María Cruz de Godinez et al. vs. Francis H. Dexter. Appellants, On motion of Mr. Frederic D. McKenney, in behalf of counsel leave is hereby granted the Clerk to issue the mandate in this cause.

773. Corn Products Refining Co. vs. George F. Harding et al. Petitioner, The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Levy Mayer in support of the same, and Mr. George F. Harding in opposition thereto.

763. Corn Products Refining Co., Petitioner vs. Robert King — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John K. Daish and Mr. John A. Bloomingston in support of the same, and Mr. L. O. Whilnel in opposition thereto.

764. The Wolf Brothers & Co. Petitioner vs. Hamilton-Brown Shoe Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Lawrence Maxwell and Mr. Simeon M. Johnson in support of the same and Mr. Joseph R. Edson and Mr. Paul Barnell in opposition thereto.

771. The New York, New Haven & Hartford Railroad Co., Petitioner, vs. Waller Baker & Co., Limited — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William Greenough in support of the same, and Mr. Eugene P. Carver and Mr. Horace L. Cheyney in opposition thereto.

Mammoth Mining Co., Plaintiff in Error,
vs.
Grand Central Mining Co.

On motion of Mr. A. B. Browne, of counsel for the plaintiff in error,

It is ordered that the mandate in this cause be stayed until May 1st, next.

Ex parte: In the matter of Frank D. Winn.
12 Original Petitioner,

This cause was argued by Mr. Guy A. Miller, of counsel for the petitioner, and Mr. Nathaniel T. Guernsey, of counsel for the respondent.

George D. Collins,
241 vs. Plaintiff in Error,
Thomas F. O'Neil, Sheriff &c., et al.

George D. Collins,
320 vs. Appellant,
The Sheriff of the City and County of San Francisco et al.

These cases were argued by Mr. William Hoff Cook, of counsel for defendants in error and appellees and submitted on printed briefs by Mr. George D. Collins in propria personam

Smithsonian Institution et al.,
613 vs. Plaintiffs in Error,
Hamilton C. St. John as Executor and Trustee, &c., et al.

The argument of this cause was commenced by Mr. Frank W. Hackett, of counsel for the plaintiffs in error.

Tuesday, April 6th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that Andrew J. Volstead, Esquire, of Granite Falls; C. A. Haines, Esquire, of Montevideo, and McNeil V. Seymour, Esquire, of St. Paul, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

165. Western Union Telegraph Co., Plaintiff in Error, vs. Samuel Chiles. On motion of Mr. William A. Jones, leave

Tuesday, April 6th, 1909, continued

ed Mr. W. D. Stookey to file a brief and argue this cause orally on behalf of the defendant in error.

Smithsonian Institution et al., vs. Plaintiffs in Error, Samuel C. St. John, as Executor &c. Trustee, &c., et al. 613

On motion of Mr. James W. Hawes, of counsel for the defendants in error, leave is hereby granted to three counsel to argue this cause orally on behalf of the defendants in error.

Smithsonian Institution, et al., vs. Plaintiffs in Error, Samuel C. St. John, as Executor &c. Trustee &c., et al. 613

The argument of this cause was continued by Mr. Frank W. Hackett, of counsel for the plaintiffs in error, and Mr. James W. Hawes, Mr. Virgil P. Kline and Mr. Harold Nathan, of counsel for the defendants in error, and concluded by Mr. Edmund Wetmore, of counsel for the plaintiffs in error.

Henry Van Gieson, vs. Appellant. C. B. Maile 121

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Henry Van Gieson in propria per-

123 | The Sand Filtration Corporation of America, Appellant, vs. Samuel P. Cowardin et al. | This cause was argued by Mr. A. S. Worthington, of counsel for the appellant, and Mr Reginald S. Huidekoper and Mr. Charles Cowles Tucker, of counsel for the appellees

124 | Mollie E. Dupree et al. William E. Dupree, Petitioners vs. C. W. Manseau. | The argument of this cause was commenced by Mr. J. J. Darlington, of counsel for the petitioners.

Proclamation being made, the Court is ad-

Wednesday, April 5th, 1904.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Alfred P. Thom it is ordered that James N. Corbitt, Esquire, of Suffolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harris Taylor, it is ordered that Charles K. Buckman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Mollie E. Dupree and
William E. Dupree,
124 vs. Petitioners,
C. H. Manson.

The argument of this cause was continued by Mr. J. J. Darlington of counsel for the petitioners, and Mr. Hannis Taylor, of counsel for the respondent, and concluded by Mr. J. J. Darlington, of counsel for the petitioners.

Auristela Santiayo et al.,
heirs &c.,
127. vs. Plaintiffs in Error,
Antonio Pons Noguerus et al.
Auristela Santiago et al.,
heirs &c.,
128. vs. Plaintiffs in Error,
Gil Ramon Gonzalez y Rodriguez
Auristela Santiago et al.,
heirs &c.,
129. vs. Plaintiffs in Error,
Teodoro Moscoso and Alejandrina
Mora y Fajardo, his wife.
Auristela Santiago et al., heirs &c.,
130. vs. Plaintiffs in Error.
Ana Semidey, widow of Antonio
Costa, et al.

These cases were submitted to the consideration of the Court on the record in case No. 127 and printed arguments by Mr. Francis A. Dexter, of counsel for the plaintiffs in error, and Mr. Charles Hartzell, of counsel for the defendants in error in cases Nos. 127, 128 and 129. No counsel appeared for the defendants in error in case No. 130.

117. The District of Columbia vs. Alice Brooke. Plaintiff in Error. This cause was argued by Mr. F. H. Stephens, of counsel for the plaintiff in error, and Mr. John Ridout, of counsel for the defendant in error.

133. Bogpilla's Land & Cattle Co. vs. J. N. Curtis et al. Appellant. This cause was argued by Mr. Eugene S. Ives, of counsel for the appellant, and submitted on a printed argument by Mr. A. L. Pickett and Mr. Ben Goodrich, of counsel for the appellee.

1037. The Order of Railroad Telegraphers, vs. The Louisville & Nashville Railroad Company. Appellant. Appeal from the Circuit Court of the United States for the Western District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Kentucky, and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute its appeal, and failing to appear, it is thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. T. Kennedy Helm, of counsel for the appellee,

this Court, that the cause be, and the same is hereby, dismissed with costs; and that the cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

136. Maria de las Nieves Cabrera and Magdalena de la Cruz, Appellants, vs. The American Colonial Bank. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Francis H. Dexter, of counsel for the appellants, and Mr. W. B. K. Pettingill, of counsel for the appellee.

137. Buenaventura Ubarri é Yramuteguis, Plaintiff in Error, vs. Jacinto Lorenzo Lopez Labordabar. The argument of this cause was commenced by Mr. Walter D. Davidge, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Thursday, April 8th, 1897

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody.
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that John C. Doolan, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Robeson, it is ordered that Frank Cox, Esquire, of Morgantown, and William R. Lilly, Esquire, of Huntington, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Matilde von Ellert Sicard,
vs. Plaintiff in Error,
Lorenzo Randall Sicard. It is ordered by the Court that this cause be, and the same is here by, continued to the next term per stipulation of counsel.

Emeterio Alvarez, Potenciano Mariano, Petra Mariano et al., Plaintiffs in Error,
vs.
Severina Lerma Martinez de Olmeda. In Error to the Supreme Court of the Philippine Islands.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Buenaventura Ubarri é Iramategui,
vs. Plaintiff in Error.
Leocadio Lorenzo Lopez Laborde et al. The argument of this cause was continued by Mr. Hilton Sweet and Mr. George H. Lamar, of counsel for the defendants

sel for the plaintiff in error, and concluded by Mr. Walter D. Davidge, of counsel for the plaintiff in error. Leave was granted counsel for the plaintiff in error to file an additional brief within five days, and to counsel for the defendants in error to file a reply thereto within five days thereafter.

1114. Adams Express Co.,
vs. Plaintiff in Error,
The Commonwealth of Kentucky.

This cause was argued by Mr. Laurence Maxwell, of counsel for the plaintiff in error. No brief was filed for the defendant in error.

1143. Julian E. Woodward,
vs. Appellant,
The United States.

The argument of this cause was commenced by Mr. William H. Robeson, of counsel for the appellant.

(Proclamation being made, the Court is adjourned until Monday next at ten o'clock.)

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph P. Nolan, it is ordered that Anthony J. Ernest, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Moore, it is ordered that Joseph J. Hooker, Esquire, of Dillsboro, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. P. Doolittle, it is ordered that Waitstill Hastings Sherman, Esquire, of Montclair, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James B. Perkins, it is ordered that Helen R. Hoy, of New York City, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. U. B. Rose, it is ordered that Hal L. Norwood and William F. Kirby, Esquires, of Little Rock, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Hughes, Jr., it is ordered that Caldwell Yeaman, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. J. O'Donnell, it is ordered that James Herbert Blair, Esquire, of

Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. Everett P. Wheeler, it is ordered that Maurice Léon, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Bernarr Macfadden,
vs.
The United States.

On consideration of the petition for the allowance of a writ of error hereto and of the argument of counsel thereupon had as well in support of as against the same It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Moody.

Ex parte: In the matter of the Consolidated Rubber Tire Company, Original. Petitioner

On consideration of the motion for leave to file a petition for a writ of prohibition herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Isaac H. Caliga,
210 vs. Plaintiff in Error,
Inter Ocean Newspaper Co.

On consideration of the motion for leave to counsel for the Tribune Company to file a brief herein as amicus curiae. It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Mark Jacobs,
703 vs. Appellants,
Joseph Beckman.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

Acme Harvester Co.,
714 vs. Plaintiff in Error,
Beckman Lumber Co.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

The Mercantile Trust Co., et al., Appellants, vs. The Texas & Pacific Railway Co., et al.

735. On consideration of the motion for leave to counsel for the State of Louisiana to file a brief and make oral argument herein as amici curiae, It is now here ordered by the Court that leave be, and the same is hereby, granted said counsel to file a brief herein and that the motion for leave to make oral argument be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Fannie Fuiks et al., Petitioners, vs. Fred Fleming et al.

744. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

762 Frank Ysabura,
vs. Petitioner,
The Hardesty Manufacturing Co., formerly The A. R. Milner Dealing Co

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

763. John B. Heckendorn,
vs. Petitioner,
The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit; and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The Wolf Bros & Co.,
Petitioner,
vs.
Hamilton-Brown Shoe Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that said petition be, and the same is hereby, denied.

- per Mr. Chief Justice Fuller.

The New York, New Haven & Hartford Railroad Co.,
Petitioners,
vs.
Walter Baker & Co. Limited

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

- per Mr. Chief Justice Fuller.

772. United States of America, Petitioner, vs. Daniel Carrigan. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

788.

773. Corn Products Refining Co., Petitioner, vs. George F. Harding et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

789.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Eagle Oil Co. of New York; F. W. Hastings, Jr., and George F. von Kraft, Petitioners vs. Vacuum Oil Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

- per Mr. Chief Justice Fuller.

Corn Products Refining Co., Petitioner, vs. Robert King. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

- per Mr. Chief Justice Fuller.

796 The United States, Petitioners, vs. Bernard Citron. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Bowers in support of the same, and Mr. W. Wickham Smith and Mr. John K. Maxwell in opposition thereto, with leave to counsel on for the petitioner to file an additional brief.

755. Theodore H. Price, Appellant, vs. William Akuhl, United States Marshal &c, et al. Mr. T. S. Fuller, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

798. La Compagnie Generale Transatlantique, Petitioner, vs. Patrick Maguire. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Joseph P. Nolan in support of the same.

792. North Carolina Mining Co., Petitioner, vs. G. R. Westfeldt et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on

648.

614.

ments by Mr. Charles A. Moore and Mr. James H. Merrimon in support of the same, and Mr. Alfred S. Barnard in opposition thereto, and leave was granted counsel for the petitioner to file an additional brief herein within three days.

The Kansas City Southern Railway Company
vs. Plaintiff in Error,
Ollie M. Henrie &c., et al

The motion to dismiss or affirm and for damages in this cause was

ubmitted to the consideration of the Court on the record and printed arguments by Mr. William H. Arnold in support of the ame, and Mr. Samuel W. Moore, Mr. James . Reed and Mr. James B. McDonough in pposition thereto.

Pedro Alfredo Luis Baglin,
Superintendent &c.,
vs. Appellant.
Louisenier Company.

The motion to dismiss in this cause was submitted to the consideration of the

ourt on printed arguments by Mr. A. L. incoffe and Mr. Roger Foster in support of he same, and Mr. Philip Mauro and Mr. A. L. Massie in opposition thereto. Cross-otions were submitted to the considera-on of the Court on printed arguments by

in support of the same, and Mr. Roger Foster and Mr. A. L. Pinckoffs in opposition thereto. The petition for a writ of certiorari was submitted to the consideration of the Court on printed arguments by Mr. Philip Mauro and Mr. C. A. L. Massie in support of the same, and Mr. Roger Foster and Mr. A. L. Pinckoffs in opposition thereto. The petition for a cross-writ of certiorari was submitted to the consideration of the Court on a printed argument by Mr. A. L. Pinckoffs and Mr. Roger Foster in support of the same.

Standard Oil Company of Kentucky, Plaintiff in Error, vs. The State of Tennessee ex rel. Charles T. Cates, Jr., Attorney General &c. (No. 31.)

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles T. Cates, Jr., in support of the same, and Mr. John J. Vertrees in opposition thereto.

The State of North Carolina, Complainant, vs. The State of Tennessee. (No. 3 Original.)

Mr. Charles T. Cates, Jr., of counsel for the defendant, waived the issuing of process, and entered his appearance as counsel for the defendant herein, and on

to file an answer thereinon or before the first day of the next term.

Clemente Javierre et al, vs. Appellants, Central Altagracia, Incorporated. — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. B. K. Pettingill and Mr. F. L. Cornwell in support of the same, and Mr. Charles Hartzell and Mr. M. Rodriguez-Serra in opposition thereto.

Samuel Barker, Jr., vs. Plaintiff in Error, Butte Consolidated Mining Co. — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John J. McHatton in support of the same, and Mr. Lewis O. Evans in opposition thereto.

Brown-Ketcham Iron Works, vs. Petitioner, Bank of Commerce & Trust Co. et al. — The petition for a writ of certiorari herein was submitted to the consider

Mr. Carruthers Ewing in support of the same, and Mr. J. W. Canada in opposition thereto.

1143. Julian E. Woodville, Appellant, vs. The United States. The argument of this cause was continued by Mr. William H. Robeson, of counsel for the appellant, and Mr. Assistant Attorney General John D. Thompson, of counsel for the appellee, and concluded by Mr. William H. Robeson, of counsel for the appellant.

11, Original. Ex parte: In the matter of Mary Hatch Rigge, Administratrix, &c., Petitioner, This cause was argued by Mr. Benjamin S. Catchings, of counsel for the petitioner, and Mr. Charles K. Beckman, of counsel for the respondent.

686. American Banana Co., Plaintiff in Error, vs. United Fruit Co. The argument of this cause was commenced by Mr. Everett P. Wheeler, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow at ten o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Barry Mohun, it is ordered that Burton Edward Eames, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Charles A. Moore, it is ordered that Thomas Scott Rollins, Esquire, of Asheville, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

behalf by Mr. Andrew Wilson, i
that John S. Biggs, Esquire, o
District of Columbia, be admitte
as an attorney and counsellor
and he was sworn accordingl

On motion first made to the co
behalf by Mr. Chapin Brown, i
that Otto Adolph Erdman, Esq
State of Colorado, be admitted to
an attorney and counsellor of thi
he was sworn according[ly]

686 American Banana Co., Plaintiff in Error,
vs.
United Fruit Co.

Wheler, of counsel for the plaintiff
Mr. Henry W. Taft, of counsel for
in error, and concluded by Mr.
Wheler, of counsel for the plaintiff

146 The Western Union Telegraph Co., Appellant,
vs.
C. R. Andrews et al.
Oswald C. Ludwig, Secretary of State, &c.,

237 Appellant,
vs.
The Western Union Telegraph Co.

the appellee in No. 237, and

Hal L. Norwood, of counsel for the appellee in No. 146 and appellant in No. 235.

(Proclamation being made, the Court is ad

Wednesday, April 14th 1904.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Jerens E. Payne, it is ordered that William R. Payne, Esquire, of Auburn, and Thomas Jefferson Doherty, Esquire, of New York City, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. U. Fletcher, it is ordered that William Sherman Jennings, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Cecil Page, Esquire, of Chicago, State of Illinois, and D. Grant Lloyd, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

160. Apache Water Co., Appellant, vs. The City of Tombstone. Appeal from the Supreme Court of the Territory of Arizona.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

146. The Western Union Telegraph Co., Appellant, vs. P. R. Andrews et al.

233. Oswald C. Ludwig, Secretary of State &c., Appellant, vs. The Western Union Telegraph Co.

The argument of these cases was continued by Mr. William F. Kirby of counsel

lees in No. 1146 and the appellant in No. 2033, and concluded by Mr. George B. Rose, of counsel for the appellant in No. 1146, and the appellee in No. 2033.

1145. Miguel Tupins et al., vs. Plaintiffs in Error. La Compañia General de Tabacos de Filipinas

plaintiffs in error.

The argument of this cause was commenced by Mr. John C. Gittinger, of counsel for the

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody, Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. Hone Abert, it is ordered that Howard Boyd, Esquire, of Woodside, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

145. Miguel Tupino et al., Plaintiffs in Error, vs. La Compañia General de Tabacos de Filipinas

The argument of this cause was continued by Mr. A. B. Browne, of counsel for the defendant in error, and concluded by Mr. John L. Gittinger, of counsel for the plaintiffs

150 Richard Bong.
vs. Plaintiff in Error.
The Alfred S. Campbell Art Co.

Printed argument by Mr. George counsel for the defendant in error.

John Lucky,
vs. Plaintiff in Error,
The State of Louisiana

and printed arguments by Mr. Ryberry of counsel for the plaintiff Mr. Walter Union and Mr. J. counsel for the defendant in error.

Francis C. Welch, Trustee,
vs. Plaintiff in Error,
George R. Swasey et al., &c.

Eames, of counsel for the plaintiff in

Proclamation being made the Co
adjourned until tomorrow at

1909, continued

ause was argued
. Max J. Kohler,
nsel for the
iff in error, and
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George H. Ter-
in error, and
P. Beekwich, of

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cause was
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Burton Edward
error.)

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Friday, April 16th, 1909.

Pursuant to adjournment, the Court met to-day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Thomas M. Babson, it is ordered that Everett H. Hadley, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

153. Francis C. Welch, Trustee, Plaintiff in Error, vs. George R. Swasey et al, &c.

The argument of this cause was continued by Mr. Burton Edward Eames, of counsel for the plaintiff in error, and Mr. Thomas M. Babson, of counsel for the defendant in error, and concluded by Mr. Burton

Chicago, Burlington & Quincy Railway Co.,
vs.
Edgar C. Williams.

This cause w
argued by M
O. H. Dean, o
counsel for th
Railway Comp

and submitted on a printed argument by M
John A. Denison and Mr. William E. Fowle
of counsel for Williams.

The State of Louisiana, ex rel. Louis A. Hubert, Receiver,
vs. Plaintiff in Error,
The Mayor and City Council of the City of New Orleans.

This cause w
submitted to
consideration
of the Court o
the record an
printed argu

ments by Mr. Charles Louque, Mr. J. D. Rouse
Mr. William Grant, of counsel for the plaintiff
error, and Mr. Frank B. Thomas, of counsel for
the defendants in error.

George W. Thomas,
vs. Plaintiff in Error,
South Side Elevated Railway Company.

The argument
this cause wa
commenced by
Mr. George W. Th
in propria per

son, and continued by Mr. Cecil Page, of counse
for the defendant in error.

Proclamation being made, the Court is adjourn
until Monday next at twelve o'clock.

Monday, April 19th, 99

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers it is ordered that Barton Corneau, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. Clarke, it is ordered that Tom M. Mehaffy and Henry M. Armistead, Esquires, of Little Rock, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court, and

On motion first made to the Court in this behalf by Mr. A. P. Pujo, it is ordered that E. Lee Trinkle, Esquire, of Wytheville, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward B. Whitney, it is ordered that Benjamin Tuska, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Field, it is ordered that Charles F. Taylor, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Brenner, it is ordered that William A. Baily, Robert O. Brennan and Howard J. Clark, Esquires, of Des Moines, State of Iowa, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this

that George E. Boren, Esquire, of Bristol State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Absolom Pierce Bachman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Henry Van Gieson, Appellant, } Appeal from the Supreme
121. vs. } Court of the Territory of
C. B. Mau & } Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

Monday, April 19th 1909. continued.

139. Bogniellas Land & Cattle Co., Appellant. vs. J. N. Curtis, Samuel C. Curtis, Lyman Curtis and John Summers. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Justice Holmes.

80. Leeds & Catlin Co., Petitioner. vs. Victor Talking Machine Co., and United States Gramaphone Co. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States [illegible]

81.

394.

Southern District of New York.
per Mr. Justice McKenna.

Leeds & Catlin Co.
vs. Petitioner,
Victor Talking Machine Co.
& United States Gramophone Co.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

per Mr. Justice McKenna.

The United States,
vs. Petitioner,
Charles R. Evans and
Harry J. O'Donnell

On writ of certiorari to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued

is now here ordered and adjudged by this Court that the writ of certiorari in this cause, be and the same is hereby, quashed.

per Mr. Chief Justice Fuller.

The Chief Justice announced that the docket will be suspended for the term on Friday, the 30th instant, and on May 3 the Court will take a recess until May 17, and a second recess from May 17 until May 31, next, when the Court will adjourn for the term.

215 Samuel Barker, Jr., vs. Plaintiff in Error, Butte Consolidated Mining Co. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

391 Standard Oil Company of Kentucky, vs. Plaintiff in Error, The State of Tennessee upon the relation of Charles T. Cates, Jr., Attorney General. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause, be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

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755.

Clemente Javierre et al., Appellants,
vs.
Central Allagracia, Incorporated.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby postponed until the hearing of the cause on the merits.

-per Mr. Chief Justice Fuller.

Pere Alfredo Luis Baglin, Superintendent, etc., Appellant.
vs.
Louisenia Company.

On consideration of the petitions for writ and cross-writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, It is now here ordered by the Court that said petitions be, and the same are hereby, granted, the transcript of record filed on the appeal to stand as a return to said writs.

-per Mr. Chief Justice Fuller.

Theodore A. Price, Appellant,
vs.
William Henkel, U.S. Marshal &c.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion

the cause assigned for argumen
October 12th, next, immediately
Nos. 727 and 728.

Per Mr. Chief J

768. Brown-Ketcham Iron Works et al. vs. Petitioner Bank of Commerce and Trust Co., and The Memphis Trust Co.

for the Sixth Circuit.
On consideration of the petition
certiorari herein to the United
Court of Appeals for the Sixth Ci
the argument of counsel thereupo
will in support of as against the
now here ordered by the Court t
tition be, and the same is hereb

Per Mr. Chief

772. North Carolina Mining Co., vs. Petitioner, H. R. Westfeldt et al.

of Appeals for the Fourth Circuit.
On consideration of the petition
certiorari herein to the United St
Court of Appeals for the Fourth Ci
the argument of counsel thereupon
well in support of as against the

be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

La Compagnie General Transatlantique. Petitioner
vs.
Patrick Maguire.

498. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The United States. Petitioner
vs.
Bernard Citroen

496. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

The Kansas City Southern Railway Company, — Plaintiff in Error,
vs.
Ollie M. Henrie, who sues in her own behalf; Vivian Henrie, George Whitefield Henrie, and Ollie Marie Henrie, minors, by their next friend, Ollie M. Henrie.

In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Joseph Keller,
vs.
The United States.

Louis Ullman,
vs.
The United States.

On motion of Mr. Solicitor General Bowers, in behalf of counsel for the plaintiffs in error, leave is hereby granted the clerk to issue the mandates in these cases.

Monday, April 19th, 1909, continued.

Claude W. Mason,
vs. Petitioner,
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. C. A. Hanson in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto within ten days.

J. S. Harlan et al.,
vs. Petitioners
The United States
Robert Gallagher et al.,
vs. Petitioners
The United States
C. L. Vickers et al.,
vs. Petitioners,
The United States.

The petitions for writs of certiorari in these cases were submitted to the consideration of the Court on printed arguments by Mr. W. W. Flournoy and Mr. Jesse F. Stallings, of counsel for the petitioners in Nos. 813 and 814, and Mr. W. W. Flournoy, of counsel for the petitioners in No. 815, and leave was granted counsel for the respondent to file a brief in opposition thereto within ten days.

J. J. Hill et al.,
vs. Petitioners
George W. Walker, &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Clayton E. Emig and Mr. George B. Webster in support of the same.

1584. The Irrigation Land and Improvement Co., vs. Appellant, Ethan Allen Hitchcock, Secretary of the Interior. On motion George A. of counsel fellant, by the Coun cause be, an

same is hereby continued to the next ter stipulation of counsel.

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840. The Metropolitan Trust Co., of the City of New York, vs. Petitioner Central Trust Co., of New York et al. The petitio writ of cer herein was ted to the ation of th on printed

ments by Mr. Carl Taylor, Mr. James By L.L. Lewis and Mr. R. B. Dadie in supp the same, and Mr. Henry W. Anderson, H. Van Brunt, Mr. Alex Carter and Mr. Pickrell in opposition thereto.

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866. A. Mueller Manufacturing Co., vs. Petitioner, Joseph A. Glaubes The petit a writ of herein wa mitted to

sideration of the Court on printed argum Mr. Charles E. Pickard, Mr. A. H. Adams, au Jackson in support of the same, and Mr. thuem and Mr. W. Clyde Jones in opposit

Monday, April 19th 1909, continued.

Allen R. English et ux,
186 vs. Appellants,
The Territory of Arizona at the relation and to the use of John W. Bogan, Treasurer &c.

Mr. William C. Prentice, in behalf of counsel for the appellee, suggested the expiration of the term of office of John W. Bogan as treasurer and ex officio tax collector of Pima County, Arizona, and that Victor S. Griffith has succeeded to the said office, and moved the Court to make the said Victor S. Griffith as treasurer and ex officio tax collector of Pima County, Arizona, the party appellee herein. Whereupon It is now here ordered by the Court that the said Victor S. Griffith as treasurer and ex officio tax collector of Pima County Arizona, be, and he is hereby, made the party appellee in this cause.

Isidore Meyerson,
755. vs. Petitioner.
Harry Hart et al

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George Ryall in support of the same, and Mr. Benjamin N. Cardozo in opposition thereto.

Monday, April 19th, 1909.

Michael Donohoe,
No. 516. vs. Appellant,
El Paso & Southwestern
Railroad Company.

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Court on

a printed argument by Mr. A. B. Bri
under Britton and Mr. E. E. Ellerw
of the same

Frank J. Logan et al.,
745. vs. Appellants,
Farmers' Deposit National
Bank of Pittsburgh, Pa., et al

The mo
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and printed arguments by Mr. A. L
Mr. B. M. Ambler in support of the
Mr. Hector M. Hitchings in opposit

George W. Thomas,
No. 537. vs. Plaintiff in Error,
South Side Elevated
Railway Company.

The arg
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by Mr. G
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concluded by Mr. George W. Thomas in fa

The Chesapeake & Ohio
Railway Co., et al.,
No. 538. vs. Plaintiffs in Error,
J. W. McDonald, Administrator, &c.

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St. Paul, Minneapolis & Manitoba Railway Co., etal.
162. vs. Plaintiffs in Error,
The State of Minnesota ex rel. Leily of Minneapolis.

The argument of this cause was commenced by Mr. Rome G. Browne, of counsel for the plaintiffs in error, and continued by Mr. Albert E. Clarke and Mr. Frank Healy, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Tuesday, April 20th 1909

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert L. Owen, it is ordered that James A. Maxey, Esquire, of Shawnee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. C. Brown, it is ordered that Ernest S. Ellis, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Romell Brown, it is ordered that John W. Manson and Harry R. Coolidge, Esquires, of Fairfield; John S. Williams, Esquire, of Guilford, and Freeman D. Dearth, Esquire, of Dexter, State of Maine, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. T. Guernsey, it is ordered that William L. Read, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Prentice, it is ordered that Clarence J. Roberts, Esquire, of Raton, Territory of New Mexico, and Thomas D. Rporer, Esquire, of Jacksboro, State of Texas be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

171. Kaimiola Nakookoo (may) vs. David Moholoa. Appellant.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. David L. Withington, of counsel for the appellant, and Mr. W. L. Stanley and Mr. Clarence A. Olson, of counsel for the appellee.

173. J. D. Compton, vs. The State of Alabama. Plaintiff in Error,

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John M. Chilton, of counsel for the plaintiff in error, and Mr. Alexander M. Garber, of counsel for the defendant in error.

162. St. Paul, Minneapolis & Manitoba Railway Co., et al., vs. The State of Minnesota ex rel. City of Minneapolis. Plaintiffs in Error,

The argument of this cause was continued by Mr. Frank Healy, of counsel for the defendant in error, and concluded by Mr. Rome G. Brown, of counsel for the plaintiffs in error.

Tuesday, April 20th, 1909, continued

163. The Hanover National Bank of the City of New York vs. William F. Buddach, as Receiver etc. Plaintiff in Error

164. The Hanover National Bank of the City of New York, vs. William F. Buddach, as Receiver etc. Appellant

These causes were argued by Mr. Percy S. Dudley, counsel for the plaintiff in error and appellant, and Mr. Edward B. Whitney, counsel for the defendant in error and appellee.

165. The Fidelity & Casualty Co. of New York vs. The Southern Railway Nuse Co. Plaintiff in Error

The argument of this cause was commenced by Mr. William H. Field, of counsel for the plaintiff in error. The Court declined to hear further argument.

166. Western Union Telegraph Co vs. Samuel Chiles. Plaintiff in Error

This cause was argued by Mr. Francis Raymond Stark, of counsel for the plaintiff in error, and Mr. W. D. Stuckey (by special leave) of counsel for the defendant in error.

	John W. Manson et al., Trustees,	The argument of this cause was commenced
169.	vs. Appellants,	by Mr. John W. Manson, of Counsel for
	John S. Williams Trustee etc.	the Appellants.

Proclamation being made, the Court is ad-

Wednesday, April 26th, 1899.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court on this behalf by Mr. William Alden Smith it is ordered that Alfred Lucking, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

No. 169. John W. Manson et al., Trustees, Appellants, vs. John S. Williams, Trustee etc.

The argument of this cause was continued by Mr. John W. Manson of counsel for the appellants, and

and concluded by Mr. John N. Mauson of counsel for the appellants.

International Text Book Co. vs. Haron T. Pigg.

This cause was argued by Mr. James M. Bell of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

City of Des Moines vs. Des Moines City Railway Company.

On motion of Mr. William A. Baily counsel for the appellant, leave is hereby granted this counsel to argue this cause on behalf of the appellant.

City of Des Moines vs. Des Moines City Railway Co.

The argument of this cause was commenced by Mr. William A. Baily, of counsel for the appellant.

(Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R Day
William H Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that William A. Phipps, Esquire, of Paulding; J. Whiting, Jr., Esquire, of Canton, and Chauncey L. Newcomer, Esquire, of Bryan, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Hamilton, it is ordered that Frank J. Golden, Esquire, of San Francisco, State of California, be

admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Wickham Smith, it is ordered that Benjamin A. Levett, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Herrick, it is ordered that William Witthaft Bride, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	The Louisville & Southern Indiana & Tractions Co.,	In Error to the
156.	vs. Plaintiff in Error,	Supreme Court
	Zach T. Leaf	of the State of
		Indiana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, &c. it is, therefore in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause

cases:

per Mr Chief Justice Fuller.

171. City of Des Moines. vs. Appellant, Des Moines City Railway Company. The argument of this cause was continued by Mr. William A. Baily and Mr. W. A. Brenner, of counsel for the appellant, and Mr. N. T. Guernsey, of counsel for the appellee, and concluded by Mr. Howard J. Clark, of counsel for the appellant.

172. Thad. A. Bryant, Trustee, &c., vs. Appellant, Swofford Bro. Dry Goods Co. The argument of this cause was commenced by Mr. William A. Arnold, of counsel for the appellant.

Proclamation being made, the Court is ad-

Friday, April 25th, 1902.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKinney, Clerk,

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James L. Bottsford it is ordered that Rees Turpin, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 172.

On motion first made to the Court in this behalf by Mr. W. E. Ambrose, it is ordered that Abraham A. Birman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 173.

On motion first made to the Court in this behalf by Mr. L. T. Michener, it is ordered that Angus W. Kerr, Esquire, of Calumet, State of Michigan, and Benner L. Smith, Esquire, of Salt Lake City, State of Utah, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Amos E. Goodhue, it is ordered that James E. Blackwood, Esquire, of Wadsworth, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Thad. A. Bryant, Trustee &c., Appellant.
vs.
Woffford Bros. Dry Goods Co.

The argument of this cause was continued by Mr. William H. Arnold, of counsel for the appellant, and Mr. Samuel D. Ellis, of counsel for the appellee, and concluded by Mr. William A. Arnold, of counsel for the appellant.

The Texas & Pacific Railway Co., et al., Plaintiffs in Error,
vs.
Gastin & Knox et al.

This cause was argued by Mr. W. L. Hall and Mr. Rush Taggart, of counsel for the plaintiffs in error, and Mr. Thomas D

177	United States Fidelity & Guaranty Co., Plaintiff in Error, vs. The United States.	The argument of this cause was commenced by Mr. J. Kemp Bartlett, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until Monday next at ten o'clock.

Monday April 26th 909

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,

David J. Brewer

Rufus W. Peckham

Joseph McKenna. Associate

Oliver Wendell Holmes Justices.

William R. Day

William H. Moody.

John M. Wright, Esquire, Marshal,

James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry E. Davis, it is ordered that J. K. M. Norton, Esquire, of Alexandria, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Floyd, it is ordered that John R. Beasley, Esquire, of Forrest City, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be-

Albert A. Lawson, Esquire, of Mankato, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester I. Long, it is ordered that T. A. Noftzger, Esquire, of Anthony, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Hughes, Jr., it is ordered that Willis V. Elliott and Gerald Hughes, Esquires, of Denver, State of Colorado, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad, it is ordered that John W. Chapman, Esquire, of Tazewell, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Sand Filtration Corporation of America, Appellant, vs. Samuel P. Cowardin, James F. Bradley, Sydney P. Clayton et al. Appeal from the Court of Appeals of the District of Columbia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

Dissenting:
Mr. Justice McKenna
Mr. Justice Moody.

American Banana Co., Plaintiff in Error, vs. United Fruit Co. In Error to the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court

is hereby, affirmed with costs; and that the cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice Holmes.

(Mr. Justice Harlan concurs in the result.)

785. Isidore Meyerson, Petitioner, vs. Harry Hart, Max Hart, Joseph Schaffner, and Marcus Marx, composing the firm of Hart, Schaffner & Marx. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. 809.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

804. The Metropolitan Trust Co., of the City of New York, Petitioner, vs. Central Trust Co., of New York et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. 812.

certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had as well in support of as against the same, &c. is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

A. Mueller Manufacturing Co., Petitioners, vs. Joseph A. Glauber. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, &c. is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

O. J. Hill, W. B. Hill & F. Hobart et al., Petitioners, vs. George W. Walker, doing business as Walker Stave Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of

cuit Court of Appeals for the Eig
of the argument of counsel in su
It is now here ordered by the Co
petition be, and the same is he
per Mr. Chief J

Chicago, Burlington &
Quincy Railway Co.,

vs.

Edgar Lo. Williams.

Ou a
the Un
Circu
Appea
Eighth

This cause came on to be hear
cate from the United States Cir
Appeals for the Eighth Circuit,
gued by counsel. On consider
it is now here ordered by the
said certificate be, and the sa
dismissed.

per Mr. Chief J

Dissenting:
Mr. Justice Holmes.
Mr. Justice White
Mr. Justice Moody.

George W. Thomas,

vs. Plaintiff in Error.

South Side Elevated Railway Co. th

In
Dup

This cause came on to be heard
script of the record from the

...9, continued

...hed Circuit, and
...pport of the same,
...ourt that said
...hereby, denied
...Justice Fuller.

...certificate from
...nited States
...it Court of
...ls for the
...h Circuit.
...d on a certifi-
...cuit Court of
...and was ar-
...tion whereof,
...Court that
...me is hereby

...Justice Fuller.

...Error to the
...preme Court of
...State of Illinois.

...d on the trans-
...Supreme Court

counsel On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

St. Paul, Minneapolis & Manitoba Railway Co. &c. Great Northern Railway Co. 162. vs Plaintiffs in Error, The State of Minnesota ex rel. City of Minneapolis.

In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

The Fidelity & Casualty Co. of New York, 165. vs. Plaintiff in Error, The Southern Railway News Co.

In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the tran...

peals of the State of Kentucky, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

516. Michael Donohoe, Appellant, vs. El Paso & Southwestern Railroad Co. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

744. Frank J. Logan et al., Appellants, vs. Farmers' Deposit National Bank of Pittsburgh, Pa., et al. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United

Circuit Court of Appeals for the Fourth Circuit and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Charles Nickell, vs. The United States. Petitioner, The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Thomas O'Day and Mr. Martin L. Pipes in support of the same, and Mr. Solicitor General Bowers in opposition thereto.

Walter S. Eddy et al., vs. Caroline M. Eddy. Petitioners, The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Watts S. Humphrey and Mr. Benton Fanchett in support of the same, and Mr. Alfred Lucking in opposition thereto.

Ex parte, In the matter of Isaac Keller, Petitioner. Mr. William E. Ambrose, in behalf of counsel for the

to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

807. J. A. Scrivner & Co., vs. Petitioner, M. M. Newcomer et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George W. Case, Jr., and Mr. Arthur von Briesen in support of the same, and Mr. T. S. Webb in opposition thereto.

811. Pocahontas Coal & Coke Co., vs. Petitioner, Joseph S. Gillespie The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Joseph S. Clark and Mr. A. W. Reynolds in support of the same, and Mr. Holmes Conrad in opposition thereto.

816. Frederick J. Lisman et al., vs. Petitioners. Milwaukee, Lake Shore & Western Railway Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. J. Darlington, Mr. Dilce McCurdy and Mr. Clark Allen in support of the same,

814. A. J. Fenn, Petitioner, vs. W. H. Lowdell, receiver. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Richard P. Whiteley, Mr. H. A. Herbert, Mr. Benjamin Micou and Mr. E. T. Davis in support of the same, and Mr. Frederick D. Myers in opposition thereto.

815. Illinois Central Railroad Company, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edmund F. Trabue, Mr. John C. Doolan, Mr. Attila Cox, Jr., and Mr. Blewett Lee in support of the same, and Mr. Solicitor-General Bowers in opposition thereto.

806. The Snare & Triest Co. Petitioner, vs. Fannie Friedman by her next friend, Samuel Friedman. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Hoes, Mr. Hitchings and Mr. William H. Carey in support of the same.

1330	Adolph Kuffler, Petitioner, vs. Hinsdale, Smith & Company et al.	The petition for a writ of certiorari herein was submitted to the consideration of the court on printed argu-

ments by Mr. Max J. Kohler in support of the same, and Mr. Benjamin Tuska in opposition thereto.

808	William N. Camp, vs. Petitioner, Lake Drummond Canal & Water Co.	The petition for a writ of certiorari herein was submitted to the consideration of the court on printed

arguments by Mr. T. D. Savage and Mr. J. H. Corbitt in support of the same, and Mr. Theodore S. Garnett in opposition thereto.

2004	Robert M. Snyder, Jr., et al, Executors &c., et al., vs. Plaintiffs in Error, J. Rosenbaum.	It is ordered by the court that this cause be, and the same is hereby, contin-

ued until the next term, per stipulation of counsel.

1900	Great Northern Railway Co., vs. Plaintiff in Error, The United States.	In Error to the Cir- cuit Court of the United States for the Southern District of New Yo

counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller.

*

The Missouri, Kansas & Texas Railway Co., of Texas et al.,
vs. Plaintiffs in Error &
S. M. Kennedy.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. C. A. Culberson in support of the same, and Mr. James Hagerman in opposition thereto.

Virginia-Carolina Chemical Co.,
vs. Plaintiff in Error.
J. P. Kinsey

On motion of Mr. Frederic D. McKenney, of counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Union Pacific Railroad Co.,
vs Plaintiff in Error &
Morris Harris et al.

On motion of Mr. L. E. Payson, in behalf of coun-

tiff in error. It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7 of rule 21.

547. E. W. Simmons, late master, et al., Appellants, vs. The Steamship "Jefferson" &c. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. D. Laurence Groner, of counsel for the appellants, and Mr. Harrington Putnam, of counsel for the appellee.

174. United States Fidelity & Guaranty Co., Plaintiff in Error, vs. The United States. The argument of this cause was continued by Mr. Assistant Attorney General Russell, of counsel for the defendant in error, and concluded by Mr. J. Kemp Bartlett, of counsel for the plaintiff in error.

150. Allen R. English & Wife, Appellants, vs. The Territory of Arizona at the relation and to the use of Victor S. Griffith, Treasurer. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. E. Baker and Mr. M. A. Smith, of counsel for the appellants,

appellee:

151. Weems Steamboat Co., of Baltimore City, Petitioner, vs. People's Steamboat Co., et al. The argument of this cause was commenced by Mr. George Weems Williams, of counsel for the petitioner; continued by Mr. William D. Carter, of counsel for the respondents, and concluded by Mr. St. George R. Fitzhugh, of counsel for the petitioners.

153. John F. Reavis, Appellant, vs. Jose Franza et al. The argument of this cause was commenced by Mr. Frederic R. Coudert, of counsel for the appellant.

* 545. Great Northern Railway Co., Plaintiff in Error, vs. The United States. It is ordered by the Court that leave be, and the same is hereby, granted the clerk to issue the mandate in this cause.

Proclamation being made, the Court is adjourned

Thursday, April 27th 1909

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Hampton L. Carson, it is ordered that Thomas A. Fahy, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry S. Boutell, it is ordered that John F. Voight, Esquire, of Mattoon, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. L. Sparhawk, it is ordered that Max L. Powell, Esquire, of Burlington, State of Vermont, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Harry L. Black, Esquire, of Wellsville, State of Missouri, and Fred A. Baker, Esquire, of Marshall, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

574 & 575. Francisco Martinez et al., Appellants, vs. International Banking Corporation

Mr. Howard Thayer Kingsbury, of counsel for the appellants, suggested the death of Francisco Martinez, one of the appellants herein, and moved the Court to make Marianos Martinez, administrator of the estate of the said Francisco Martinez, deceased, a party appellant in this cause. Whereupon, it is now here ordered by the Court that the said Marianos Martinez, administrator of the estate of the said Francisco Martinez, deceased, be, and he is hereby, made a party

1909 C. Elmer Smith & S. Fales Smith, executors of Beauchamp H. Smith, deceased, vs. Appellants, The King of Arizona Mining & Milling Co., The King of Arizona Co., Epes Randolph et al. — Appeal

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to file the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice

196. W. C. Rogers, Jr., et al., vs. Plaintiffs in Error, Joseph T. Jones et al. — This cause was submitted to the Court on consideration of the record and printed arguments by Mr. Johnston, of counsel for the plaintiffs in error, and Mr. James A. Neville and Mr. W. A. While, of counsel for the defendants in

183. John F. Reavis, vs. Appellant, Jose Tranza et al. — The argument of the cause was continued by Mr. Frederic R. Coudert, of counsel for the appellant, and Mr. Henry E. Davis, of counsel

the appellees, and concluded by Mr. Howard Thayer Kingsbury, of counsel for the appellant. Leave was granted counsel for the appellant to file an additional brief on or before Friday next.

185. Eugene L. Knight vs. Westinghouse, Church, Kerr & Company. Petitioner,

The argument of this cause was commenced by Mr. James A. Bolsford, of counsel for the petitioner, and continued by Mr. Clifford Histed, of counsel for the respondents.

Proclamation being made, the court is ad-

Wednesday, April 28th, 1909.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. J. A. Fowler, it is ordered that Louis M. H. Baker, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph W. Breckenridge, it is ordered that Thomas H. Matters, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Paul A. Vierus, vs. Plaintiff in Error, The United States — On motion of Mr. Assistant Attorney General Porter, of counsel for the defendant in error, it is ordered by the Court that this cause be, and the same is hereby dismissed.

Claudio Acosta, Antonio Acosta and Anselmo Acosta, vs. Appellants, The People of Porto Rico. — In Error to the Supreme Court of Porto Rico

This cause having been called to the attention of the Court by Mr. George A. Lamar, one of counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Eugene C. Knight, vs. (Petitioner), Keeting Howell, Church, Kerr & Company. — The argument of this cause was continued by Mr. Clifford Histed, of counsel for the respondent, and concluded by Mr. Rees Turpin, of counsel for the petitioner.

John B. Whitcomb, surviving partner &c., et al., vs. Plaintiffs in Error, John E. White and Robert B. White.

The argument of this cause was commenced by Mr. Albert Allen, of counsel for the plaintiffs in error, and continued by Mr. George H. Lamar, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock M.

Thursday, April 29th, 1909.

(Pursuant to adjournment, the Court met today at the Capitol.

(Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer,
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John Maynard Harlan, it is ordered that Robert Newton Hoch, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. A. Moseley, it is ordered that Sol M. Stroock, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Century Mercantile Co., vs. Plaintiff in Error
John Hofman &c.

In Error to the Court of Appeals of the State of New York.

718

It appearing to the Court that a confession of error and consent of counsel for the defendant in error to a reversal of the judgment in this cause has been filed, Therefore, in pursuance of said confession and consent, it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller

Old Nick Williams Co., vs. Petitioner
The United States.

On motion of Mr. Assistant General Fowler, of counsel for the respondent,

D. Ct.

It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

John B. Whitcomb, surviving partner &c., et al., vs. Plaintiffs in Error
John E. White & Roberta B. White

The argument of this cause was continued by Mr. George A. Lamar, of counsel for the

185.

defendants in error

Albert Allen, of counsel for the plaintiffs in error.

92. Joseph Wild & Company, Appellants, vs. The Provident Life & Trust Co., Trustee etc. The argument of this cause was commenced by Mr. Wm. L. Powell, of counsel for the appellants; continued by Mr. Arthur G. Dickinson, of counsel for the appellee, and concluded by Mr. Harris S. Sparhawk, of counsel for the appellants.

191. Elizabeth Peck, Petitioner, vs. The Tribune Co. The argument of this cause was commenced by Mr. S. C. Young, of counsel for the petitioner; continued by Mr. John Barton Payne, of counsel for the respondent.

Proclamation being made, the Court is ad-

Friday April 30th. 1909.

Pursuant to adjournment, the court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr. Theodore E. Burton, it is ordered that John H. Price, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. L. C. Raegner, it is ordered that William G. McKnight, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that Albert S. Brandeis, Esquire, of Louisville, State of Kentucky, and Robert Stone, Esquire, of Topeka, State of Kansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

211. Jacinto Mequel, Plaintiff in Error, vs. The Territory of Hawaii — In Error to the Supreme Court of the Territory of Hawaii.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

212. Solomon K. Wagg, Appellant, vs. Mary B. Herbert et al. — It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

Elizabeth Peck,
vs. Petitioner
The Tribune Co.

The argument of
cause was contin
Mr. John Barton
of counsel for the
ent, and concluded by Mr. A. C. Irving, o
sel for the petitioner. Leave was granted
sel for the petitioner to file an additional
within three days.

Jacinto Lorenzo Lopez
Laborde et al.,
vs. Plaintiffs in Error,
Pablo Ubarri and
Modesta Ubarri.

The argument
cause was con
by Mr. Willis
of counsel for t
plaintiffs in er
continued by
John Maynard Harlan, of counsel for t
defendants in error, and concluded by
George H. Lamar, of counsel for the plain
in error. Leave was granted counsel to
additional briefs herein within five days

Sarah S. Fall,
vs. Plaintiff in Error,
Elizabeth Eastin.

This cause was
mitted to the co
sideration of the
Court on the reco
and a printed argument by Mr. Ralph
Breckenridge and Mr. Charles J. Greene, of
sel for the plaintiff in error. No brief was filed for t
fendant in error.

(Proclamation being made the Court is adjou
until Monday next, at twelve o'clock

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Alexander R. Lawton, it is ordered that Leon Weil, Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Brainerd W. Parker, it is ordered that James E. Kelly, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Patterson, it is ordered that William A. Way, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Stone, it is ordered that J. Franklin Shields, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander M. Garber, it is ordered that Samuel D. Weakley, Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that Warren C. Philbrook, Esquire, of Waterville, State of Maine, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered

State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that Albert M. Sturdevant, Esquire, of the State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Franz D. Winn. Petitioner. On consideration of the petition for a writ of mandamus

12 Original

herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that said rule be made absolute, and that a writ of mandamus as prayed be, and the same is hereby, awarded.

Per Mr. Justice Moody.

John W. Manson et al., Trustees of Estate of Henry Hudson, Appellants, vs. John L. Williams, Trustee in Bankruptcy of Estate of Hudson Clothing Co. Appeal from the United States Circuit Court of Appeals for the First Circuit

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script of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Maine.

per Mr. Justice Holmes.

The Delaware & Hudson Co. vs. The Albany and Susquehanna Railroad Co., et al. No. 116. On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the questions certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice McKenna.

Eleanor Erica Strong, and
Richard P. Strong, her
husband,
116. vs. Plaintiffs in Error & Appellants
Francisco Gutierrez, Rejudo

In Error to and appeal from the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause dismissing the complaint be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to affirm the judgment of the Court of First Instance.

Per Mr. Justice Peckham.

The United States of America
ex rel. The Attorney General
of the United States,
557. vs. Plaintiff in Error,
The Delaware & Hudson Co.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District

Our consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice White

Dissenting:
Mr. Justice Harlan.

The United States of America ex rel. The Attorney General of the United States,		In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.
560.	vs. Plaintiff in Error,	
Erie Railroad Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel.

Our consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice White.

561 The United States of America ex rel. The Attorney General of the United States, vs. The Central Railroad Company of New Jersey. Plaintiff in Error, } In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice White

Dissenting:
Mr. Justice Harlan.

562. The United States of America ex rel. The Attorney General of the United States, vs. Delaware, Lackawanna & Western Railroad Co. Plaintiff in Error, } In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania

of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by cor. sel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice White.

Dissenting:
Mr. Justice Harlan.

563. The United States of America ex rel. The Attorney General of the United States, vs. Plaintiff in Error, The Pennsylvania Railroad Co. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the

Monday, May 3d, 1909, continued

Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice White.

Dissenting:

Mr. Justice Harlan.

The United States of America ex rel. The Attorney General of The United States, Plaintiff in Error, vs. Lehigh Valley Railroad Co.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

5 L.ed.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice White.

Dissenting:

Mr. Justice Harlan.

565. The United States of America, Appellant, vs. The Delaware & Hudson Co. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice White.

Dissenting:
Mr. Justice Harlan.

566. The United States of America, Appellant, vs. Erie Railroad Company. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel

adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice White.

Dissenting:
Mr. Justice Harlan.

567. The United States of America, Appellant, vs. The Central Railroad Company of New Jersey. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice White.

Dissenting:

No. 67. The United States of America, Appellant, vs. Delaware, Lackawanna & Western Railroad Co. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity to the opinion of this Court.

Per Mr. Justice White.

Dissenting:
Mr. Justice Harlan.

No. 69. The United States of America, Appellant, vs. The Pennsylvania Railroad Co. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and

said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice White.

Dissenting:
Mr. Justice Harlan.

The United States of America, Appellant, vs. Lehigh Valley Railroad Co. } No. 5 &c. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice White.

Dissenting:
Mr. Justice Harlan.

Ex parte: In the matter of Isaac Heller. Original Petitions. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that the said motion be, and it is hereby, denied.

per Mr. Chief Justice Fuller.

The Missouri, Kansas & Texas Railway Company of Texas et al., Plaintiffs in Error. vs. S. M. Kennedy. In Error to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas.

8:7.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

786. A. J. Fenn, Petitioner vs. W. H. Lowell, for the use and benefit of the Florida Pine Land Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

744. Charles Nickell, Petitioner vs. The United States — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

800. Walter S. Eddy and Arthur D. Eddy, as Executors of Charles K. Eddy, deceased, et al., vs. Caroline M. Eddy. Petitioners, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

801. J. A. Scriven Co., vs. M. M. Newcomer and John E. Lewis. Petitioner On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

516. The Snare & Triest Co. vs. Fannie Friedman by her next friend, Samuel Friedman. Pet'rs. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

508. William N. Camp. vs. Lake Drummond Canal & Water Co. Pet'r. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, &c. it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

810 Claude W. Mason, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

811 Pocahontas Coal & Coke Co., Petitioners, vs. Joseph S. Cullinan. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

W. S. Harlan, S. E. Huggins and C. C. Hilton. Petitioners. v. The United States.

813. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

-per Mr. Chief Justice Fuller.

Robert Gallagher et al., Petitioners, v. The United States.

814. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

-per Mr. Chief Justice Fuller.

815.	E. L. Vickers, David Hobby, Willis Lassiter and Irvin Easter, Petitioners, vs. The United States.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

816.	Frederick J. Lisman, David M. Minzesheimer and William Goodman, Petitioners, vs. Milwaukee, Lake Shore & Western Railway Co. and Chicago & Northwestern Railway Co.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered

the same is hereby, denied.

-per Mr. Chief Justice Fuller.

Illinois Central Railroad Co. On petition for
831. vs. Petitioners. writ of certiorari
The United States to the United
States Circuit
Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

-per Mr. Chief Justice Fuller.

Adolph Kuffler. On petition for writ of
832. vs. Petitioner certiorari to the
Hinsdale, S. Mich. & &c. United States Circuit
" Joseph Myers & Sons. Court of Appeals for
the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered

the same is hereby, denied
-per Mr. Chief Justice Fuller

153. Paul A. Weems,
vs. Plaintiff in Error,
The United States.

Mr. Solicitor General Bowers, of counsel for the defendant in error, suggested the diminution of the record herein, and submitted to the consideration of the Court a motion for a writ of certiorari in this case. Whereupon, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, granted, as prayed.

851. John C. Lynch, Collector &c.,
vs. Petitioner.
Union Trust Co. of San Francisco et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Bowers in support of the same, and Mr. A. T. Newcomb in opposition thereto. Leave was granted Mr. Barry Mohun, in behalf of the Fidelity Trust Company, to file a printed brief herein as amicus curiae.

821. Lufkin Land & Lumber Co.,
vs. Petitioner,
Beaumont Timber Co. Limited

The petition for a writ of certiorari herein was

consideration of the Court by Mr. A. P. Pujo, in support of the same, with leave to him to file a printed brief therein within ten days

13 Original The State of North Carolina, Complainant, vs. The State of Tennessee. The motion for leave to the Babcock Lumber & Land Company to intervene herein was submitted to the consideration of the Court by Mr. W. A. Stone and Mr. J. Franklin Shields in support of the same, and leave was granted counsel for the complainant to file a brief in opposition thereto within ten days

837 Central of Georgia Railway Co., Petitioner, vs. The Railroad Commission of Alabama et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Alexander R. Lawton, Mr. Henry C. Cunningham, Mr. T. M. Cunningham, Jr., and Mr. Robert E. Steiner in support of the same and Mr. Alexander M. Garber and Mr. Samuel D. Weakley in opposition thereto

840 The Western Railway of Alabama, Petitioner, vs. The Railroad Commission of Alabama et al. } The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Robert E. Steiner in support of the same, and Mr. Alexander M. Garber and Mr. Samuel D. Weakley in opposition thereto

841 South & North Alabama Railroad Company, Petitioner, vs. The Railroad Commission of Alabama et al.
842 Nashville, Chattanooga & St. Louis Railway, Petitioner, vs. The Railroad Commission of Alabama et al.
843 Louisville & Nashville Railroad Co., Petitioner, vs. The Railroad Commission of Alabama et al. } The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Albert S. Brandeis, Mr. Gregory L. Smick, Mr. Henry L. Stone and Mr. George W. Jones in support of the same, and Mr. Alexander M. Garber and Mr. Samuel D. Weakley in opposition thereto, and leave was granted counsel for the respondents to file an additional brief herein within

Granite Bituminous Paving Company vs. Appellant, John Landis et al. — On motion of Mr. Albert D. Sturdevant of counsel for the appellant, It is ordered by the Court that the cause be, and the same is hereby, advanced, pursuant to the 32d rule.

Granite Bituminous Paving Company, vs. Appellant John Landis et al. — This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Albert D. Sturdevant and Mr. Willard L. Sturdevant, of counsel for the appellant. No counsel appeared for the appellee.

369 Daniel F. Blake, Trustee &c., vs. Petitioner, William Openhym & Sons. — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Benjamin N. Cardozo in support of the same and Mr. Alexander Nesmith and Mr. E. A. Krauthoff in opposition thereto.

West India Steamship Co. The petition for
832 vs. Petitioner. a writ of cer-
Clyde Commercial Steamships tiorari herein
Limited Owner &c. was submitted
to the consid-
eration of the Court on printed arguments
by Mr. Charles S. Haight in support of the
same, and Mr. J. Parker Kirlin in opposition
thereto

J. I. Case Plow Works et al., The petition for
833. vs. Petitioners a writ of certio-
Bryant & Bond Company. rari herein was
submitted to the
consideration of the Court by Mr. F. M. Etheridge and Mr. J. M. McCormick in support
of the same.

Cornell Steamboat Co., The petition for
Owner &c., a writ of certio-
834 vs. Petitioner. rari herein was
William K. Hammond et al. submitted to the
consideration of
the Court by Mr. J. Parker Kirlin in support
of the same, and leave was granted counsel
for the respondents to file a brief in opposition
thereto on or before Wednesday next.

446.	The Delaware & Hudson Co. vs. The Albany & Susquehanna Railroad Co., et al.	Mr. Frederic D. McKenney, in behalf of counsel for the Railroad Company, submitted to the

consideration of the court a motion that the mandate in this cause issue at once, and leave was granted Mr. J. M. Beck, of counsel for The Delaware & Hudson Company, to file a brief in opposition thereto on or before the 17th instant.

836.	Yadkin River Power Co. vs. The Whitney Co.	Plaintiff in Error. The motion to dismiss or affirm in this cause was submitted to

the consideration of the court on the record and printed arguments by Mr. Thomas Patterson, Mr. W. A. Way, Mr. Burton Craige and Mr. T. J. Jerome in support of the same, and Mr. William A. Guthrie and Mr. Frederick M. Leonard in opposition thereto.

845.	Central Trust Co. of New York vs. The Railroad Commission of Alabama et al.	Petitioner. The petition for a writ of certiorari herein was submitted to

consideration of the court on printed argu-ments by Mr. Adrian H. Joline in support of

Mr. Samuel D. Weakley in opposition thereto.

The Texas & Pacific Railway Co., Jim Ellis, Edward O. Tennison and L. K. Buddy, Plaintiffs in Error, vs. W. A. Tucker, Guardian of the Estates of Roxie Annie Tucker and Fred Dickson Tucker.	In Error to the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas.

No. 3[illegible].

It appearing to the court that a confession of error and consent of counsel for the defendants in error to a reversal of the judgment in this cause has been filed. Therefore, in pursuance of said confession and consent, it is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Civil Appeals to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

Proclamation being made, the court is adjourned

Monday, May 17th. 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. D. U. Fletcher, it is ordered that Jefferson Davis Stephens, Esquire, of Marianna; Jefferson B. Browne, Esquire, of Key West, and E. J. L'Engle, Esquire, of Jacksonville, State of Florida, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Daniel, it is ordered that J. L. Jeffries, Esquire, of Norfolk, and R. Hobt. Bayley, Esquire, of Richmond, State of Virginia, be admitted to practice as at-

they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis Burton Harrison, it is ordered that Irving Katz, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isidor Kayser, it is ordered that Isaac Lobe Straus, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank P. Flint, it is ordered that James Hull Sherman Bartholomew, Esquire, of Occidental, State of California, and Granville Hogan, Esquire, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. L. McEldmont, it is ordered that F. A. Denman, Esquire, of New York City and Lucas P. Loving, Esquire, of Washington, District of Columbia, be admitted to practice

they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. L. Morrill, it is ordered that Thomas E. Lannen, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. S. Ashbaugh, it is ordered that Cyrus Cline and Alphonso C. Wood, Esquires, of Angola, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that B. A. Judd, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Dillon, it is ordered that George S. Clay, Esquire, of New York City, and William L. Conley, Esquire, of Charleston, State of West Virginia, be admitted to practice as attorneys and counsellors of this

On motion first made to the Court in this behalf by Mrs. Edna A. Lockwood, it is ordered that Martha Adele Mallory, of New York City, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Frank Herbert Dorman, Esquire, of Providence, State of Rhode Island, and Andrew E. Hauter, Esquire, of Rockford, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Richardson, it is ordered that Henry A. Davis, Esquire, of Altoona, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Granville Munson, it is ordered that Agnes K. McNamara, of Binghamton, State of New York, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

behalf by Mr. Eugene A. Jones, it is ordered that Charles Darwin Pinnebaker, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Chesapeake & Ohio Railway Co. and The Maysville & Big Sandy Railroad Company, Plaintiffs in Error,
158. vs.
J. W. McDonald, Administrator of Nancy J. Wilson, deceased.

In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Day.

Mollie E. Dupree and William E. Dupree, Petitioners, vs. L. W. Mansur. — On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

124.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Texas for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes

Buenaventura Barrios Yamategui, Plaintiff in Error, vs. Jacinto Lorenzo Lopez Labarde, Maria Consolacion Lopez Labarde, Manuel Demetrio Lopez Labarde et al. — In Error to the District Court of the United States for Porto Rico.

187.

This cause came on to be heard on the transcript

by counsel. On consideration whereof, it is now hereordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby, remanded to the said District Court with directions to set aside the verdict and for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes

No 44 Jacinto Lopez Laborde et al., Plaintiffs in Error, vs. Pablo Uburri & Modesto Uburri. In Error to the District Court of the United States for Porto Rico

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

152 John Leech, Plaintiff in Error vs. The State of Louisiana — In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes

171. City of Des Moines, Appellant vs. Des Moines City Railway Company — Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to

Elizabeth Peck, Petitioner, vs. The Tribune Co

No. 98. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Illinois with directions to award a new trial.

per Mr. Justice Holmes

The United States ex rel. Emily E. Parish, Executrix of Joseph W. Parish, deceased, Plaintiff in Error, vs. Franklin MacVeagh, Secretary of the United States Treasury

No. 111. In Error to the Court of Appeals of the District of Columbia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued

is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and remand the cause to that Court with directions to sustain the demurrer of the relator to the return of the respondent and to enter judgment as prayed for in the petition of the relator.

per Mr. Justice McKenna

(Mr. Justice Moody took no part in the decision of this case.)

The District of Columbia, Plaintiff in Error, vs. Alice Brooke. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded

to review the judgment of the Supreme Court of the District of Columbia, quashing the writ, and to remand the case to that Court with directions to dismiss the petition.

Per Mr. Justice McKenna.

Mr. Justice White did not hear the argument, and took no part in the decision of this case.

The Texas & Pacific Railway Co., and E. M. Tucker, Plaintiffs in Error, vs. Eastin & Knox, a firm composed of S. W. Eastin and D. L. Knox, and The St. Louis & San Francisco Railroad Company.

In Error to the Supreme Court of the State of Texas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Peckham

1765.	Francis G. Welch, Trustee, vs. George R. Swasey et al., as the Board of Appeal from the Building Commissioners of the City of Boston.	In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Peckham.

174.	Kaimiola Nakookoo Gray, vs. David Noholoa.	Appeal from the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

George D. Collins. In Error to the
241. vs. Supreme Court of
Plaintiff in Error. the State of Cali-
Thomas F. Finn, Sheriff fornia.
of the City and County of
San Francisco, State of
California, et al.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Peckham.

George D. Collins. Appeal from the
320 vs. Appellant. Circuit Court of
Sheriff of the City and County the United States
of San Francisco, The for the Northern
People of the State of Cali- District of Cali-
fornia, and the State of fornia.
California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is

by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

1168. Julian E. Woodwell, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice White.

120. George H. Goodrich, Appellant, vs. John W. Ferris, Frank Hansford Johnson, an infant; Frank S. Johnson, Guardian of the estate of Frank Hansford Johnson, et al. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of

Or consideration whereof, it is ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice White.

(Mr. Justice McKenna took no part in the decision of this case.)

J. M. Ceballos &c. vs. The United States. Appellants, Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter judgment in favor of the appellants for the sum of $205,614.37.

per Mr. Justice White.

The Merchants National Bank of Baltimore, vs. The United States. Appellant. Appeal from the Court of Claims.

script of the record from the court
and was argued by counsel. On
ation whereof, It is now here ord
adjudged by this Court that the
of the said Court of Claims in th
and the same is hereby affirmed

per Mr. Justice

Ex parte: In the matter
of Mary Hatch Riggs,
Administratrix of Clarence
B. Riggs, deceased,
11, Original. Petitioner.

On
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for a
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to show cause heretofore issued, a
argument of counsel thereupon
now here ordered by the Court th
to show cause be discharged, and
petition for the writ of mandam
the same is hereby denied.

per Mr. Justice

John B. Whitcomb, surviv-
ing partner of the firm of
Three C. Whitcomb and
John B. Whitcomb, co part-
ners as Whitcomb Brothers, etal.

No. 1. vs. Plaintiff in Error,
John E. White and Robert A. White

script of the record from the Supreme Court of the State of Idaho, and was argued by Counsel On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Brewer.

Smithsonian Institution and Melville W. Fuller, as Chancellor of said Smithsonian Institution. In Error to the Supreme Court of the State of New York.

613 vs. Plaintiffs in Error.

Hamaliel B. St. John, as Executor and Trustee under the last will and testament of Wallace B. Andrews, deceased, et al.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brewer.

(Mr. Chief Justice Fuller did not hear the argument and took no part in the decision

175. J. D. Compston, Plaintiff in Error, vs. The State of Alabama. In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

The Chief Justice announced that the Court will adjourn from today until Monday, the 24th instant. 269

Order.

The Reporter having represented that owing to the number of decisions at the present term, it would be impracticable to put the reports in one volume. It is, therefore, now here ordered that he publish an additional volume in this year, pursuant to Section 681 of the Revised Statutes. 46

Per Mr. Chief Justice Fuller.

The State of North Carolina, Complainant, vs. The State of Tennessee. On consideration of the motion of Babcock Lumber & Land Company for leave to intervene herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied, but leave is hereby granted to counsel for said company to file a printed brief herein as amicus curiae.

-per Mr. Chief Justice Fuller.

Daniel F. Blake as Trustee in bankruptcy etc., Appellant, vs. William Openhym & Sons. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

-per Mr. Chief Justice Fuller.

The Delaware & Hudson Co., vs. The Albany & Susquehanna Railroad Co., et al. On consideration of the motion that the mandate in this cause issue at once, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

821 Lufkin Land & Lumber Co. vs. Beaumont Timber & Lumber Co. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. 837

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

J. T. Case Row Worne, Eagle Manufacturing Co. and C. B. Dorchester, Receivers of the Waters-Pierce Oil Co., vs. Bryant & Bond Company. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. 838

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Central of Georgia Railway Co. Petitioner, vs The Railroad Commission of Alabama et al

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Western Railway of Alabama, Petitioner, vs The Railroad Commission of Alabama et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

South & North Alabama Railroad Company, Petitioner, vs. The Railroad Commission of Alabama et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

841.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Nashville, Chattanooga & St. Louis Railway, Petitioner, vs. The Railroad Commission of Alabama et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

842.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Louisville & Nashville Railroad Company, Petitioner, vs. The Railroad Commission of Alabama et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

548.

On consideration of the petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Central Trust Co., of New York, Petitioner, vs. The Railroad Commission of Alabama et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

549.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Cornell Steamboat Co., Owner and Claimant of the Steam Tug "William E. Leary",
849 vs. Petitioner
William A. Hammond et al., and The Steam Tug "Anthracite", George M. Morrell, Claimant.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

West India Steamship Co.,
850 vs. Petitioner
Clyde Commercial Steamships, Limited, Owner of the Steamship "Saxonia"

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered

is hereby denied.

per Mr. Chief Justice White.

John G. Lynch, Collector of U. S. Internal Revenue of the First District of California, Petitioner, vs. Union Trust Company of San Francisco and James A. Folliss, as Trustees under the will of Richard A. Folliss, deceased, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

651

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

Yuakim River Power Co., Plaintiff in Error, vs. The Whitney Company. In Error to the Supreme Court of the State of North Carolina.

838

This cause came on to be heard on the transcript of the record from the Supreme

on motion to dismiss or affirm, which was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice Fuller.

No. 28. Granite Bituminous Paving Company, Appellant, vs. John Landis, Enoch Allred, J. F. Payne et al. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

No. 51. Pablo Yordi, Appellant, vs. Eugene Holtz, United States Marshal, etc. Mr. Solicitor General Bowers, of counsel for the appellee, submitted to the consideration of the Court a motion

William J. Moxley, a corporation etc.
vs.
Henry L. Hertz, Collector of Internal Revenue.
to advance this cause.

Mr. Solicitor General Bowers, of counsel for Hertz, Collector, submitted to the consideration of the Court a motion

The Baltimore & Ohio Railroad Company, Appellant,
vs.
Interstate Commerce Commission.
to advance this cause

Mr. Solicitor General Bowers, of counsel for the appellee, submitted to the consideration of the Court a motion

875. The United States, Petitioners,
vs.
Rueck & Company.
on printed arguments

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Bowers in support of the same; and Mr. Albert A. Washburn in opposition thereto.

876. The United States, Petitioners,
vs.
Titus, Blatter & Co.
of the Court by Mr. Solicitor General Bowers

The petition for a writ of certiorari herein was submitted to the consideration

Washburn in opposition thereto.

877 The United States, Petitioner, vs. W. B. Quaintance — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Bowers in support of the same, and Mr. Albert A. Washburn in opposition thereto.

883 W. Frank Kinney, Collector etc., Petitioner, vs. Samuel Morris Conant et al., executors etc. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Bowers in support of the same, and Mr. Walter F. Angell in opposition thereto.

886 The United States, Petitioner, vs. Albert Eckstein. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Bowers in support of the same, and Mr. Albert A. Washburn in opposition thereto.

Tony Tunstall, The petition for a writ of
852 vs. Petitioner certiorari herein was
Harry Edsell, submitted to the consid
Chinese Inspector. eration of the Court on
printed arguments of
Mr. James A. Kerr in support of the same,
and Mr. Solicitor General Bowers in oppo-
sition thereto

Henry C. King, The motion to dis
857 vs. Plaintiff in Error, miss or affirm in
858 The State of West Vir- these cases was
859. ginia et al submitted to the
consideration of the
Court on printed arguments by Mr. John F.
Dillon, Mr. Harry Hubbard, Mr. Edward
C. Lyon, Mr. Malcolm Jackson and Mr.
John A. Shepperd in support of the same,
and Mr. Maynard F. Stiles and Mr. John
G. Carlile in opposition thereto, and leave
was granted counsel for the plaintiff in
error to file an additional brief herein

The State of Maryland,
1, Original vs. Complainant
The State of West Virginia. The motion to
set this cause
for argument
was submitted
to the consideration of the Court by Mr.
Isaac Lobe Straus, of counsel for the complainant,
and Mr. William A. Conley, of counsel for the

357	Henry C. King.	Mr. William A. Con-
358	vs Plaintiff in Error,	ley, of counsel for
359	The State of West Virginia	the State of West
360	et al	Virginia, submit-

ted to the consid-
eration of the Court a motion to advance
these cases which was concurred in by Mr.
Maynard F. Stiles, of counsel for the plaintiff
in error.

	Ex parte: In the matter	Mr. Charles F.
	of Henry C. Pearson,	Carnes, of counsel
	Original. Petitioner	for the petitioner

submitted to the
consideration of the Court a motion for leave
to file a petition for a writ of mandamus
herein.

	The New York Produce	The petition for
	Exchange Bank,	a writ of certiorari
572.	Petitioner,	herein was sub-
	Robert Patterson Houston	mitted to the con-
	et al	sideration of the

Court on printed
arguments by Mr. James E. Kelly in support
of the same, and Mr. J. Purver Kirkwood and
Mr. Charles R. Hickox in opposition thereto.

Monday, May 15th, 1905. Continued

A. D. Clarke et ux, Petitioners, vs. T. W. Harrison. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles A. Clark in support of the same, and Mr. T. W. Harrison in opposition.

862. Charles Thomas, Plaintiff in Error, vs. The State of Texas. Mr. Frederick S. Tyler, in behalf of counsel for the plaintiff in error submitted to the consideration of the Court a motion to advance this cause.

Ex parte: In the matter of William J. Tobin, Original. Petitioner. Mr. Frederick S. Tyler, in behalf of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Ex parte: In the matter of Anton Kristiansen, Original. Petitioner. Mr. Frederick S. Tyler, in behalf of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

767. Jeffr, Weller & Co., et al., vs. Appellants; Julian Munsuri. The motion to dismiss herein was submitted to the consideration of the Court on the record and printed arguments by Mr. George A. Lamar and Mr. Willis Sweet in support of the same, and Mr. William A. Hawkins & Mr. William G. Johnson in opposition thereto

886 A. A. Grigsby, vs. Petitioner R. L. Russell et al., Administrators, etc. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. John A. Pitts in support of the same.

The Irrigation Land & Improvement Co., vs. Appellant; Ethan Allen Hitchcock, Secretary of the Interior. The motion to substitute R. A. Ballinger the successor in office of Ethan Allen Hitchcock as Secretary of the Interior as the party appellee in this cause, was submitted to the consideration of the Court by Mr. George A. Patrick and Mr. George Turner in support of the same, and leave was granted Mr. Solicitor General Bowers to file a brief in opposition thereto within four days.

The Colorado Southern Railway Company.
vs. Petitioners.
J. J. Lattimer.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. E. Whitted in support of the same, and Mr. Cone Johnson and Mr. J. M. Edwards in opposition thereto.

Charles R. Pinkney et al., &c.,
vs. Petitioners,
The Church's Confederation Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Harrington Putnam in support of the same, and Mr. J. Parker Kirlin and Mr. Charles R. Hickox in opposition thereto.

Southern Railway Co.,
vs. Plaintiff in Error,
Samuel E. Greene
Louisville & Nashville
Railroad Co.,
vs. Plaintiff in Error,
John B. Gaston.

Mr. C. B. Northrop, in behalf of counsel, submitted to the consideration of the Court motion to advance these cases

879. The Tweedie Trading Co.,
vs. Petitioners,
William S. Walsh et al.

880. The Tweedie Trading Co.,
vs. Petitioner.
The Steamship "Herne" &c.

The petitions for writs of certiorari herein were submitted to the consideration of the Court by Mr. George Hiram Mann in support of the same, and Mr. J. Parker Kirlin and Mr. Charles R. Hickox in opposition thereto.

896. Leeds & Catlin Co.,
vs. Petitioner.
American Graphophone Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Louis Hicks in support of the same, and Mr. Philip Mauro and Mr. C. H. L. Macrae in opposition thereto.

7 & 8. Great Northern Railway Co.,
vs. Plaintiff in Error,
The State of Minnesota.

Chicago Great Western Railway Co.,
vs. Plaintiff in Error,
The State of Minnesota.

Mr. George H. Peterson, of counsel for the defendant in error, submitted to the consideration of the Court motions to advance these cases.

City of Quincy
vs. Petitioner.
Warren Brothers Co

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry M. Paul, Jr. and Mr. Joseph C. Fraley in support of the same, and Mr. James M. Head and Mr. P. K. Richardson in opposition thereto

Mary Halligan.
Administratrix &c.,
636. vs. Appellant.
The Trinidad Shipping & Trading Co.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles R. Hickox and Mr. J. Parker Kirlin in support of the same, and Mr. W. W. Gooch and Mr. Frederick C. Geofield in opposition thereto. The motion to advance this case under the 32nd rule was submitted to the consideration of the Court by Mr. Frederick C. Geofield in support of the same.

The Steamship Miramar
Company, Limited.
884. vs. Petitioner
The Munson Steamship Line

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr.

in support of the same and Mr. Charles S. Haight in opposition thereto.

887 Norfolk Cold Storage & Ice Co., Petitioner, vs. Norfolk & Western Railway Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. L. Jeffries and Mr. Floyd Hughes in support of the same, and Mr. Theodore W. Reath, Mr. Robert M. Hughes and Mr. John N. Holt in opposition thereto.

796 The United States, Petitioner, vs. Bernard Citroen Mr. W. Wickham Smith, of counsel for the respondent, submitted to the consideration of the Court a motion to advance this cause.

609 Mary E. Carturight, Plaintiff in Error, vs. J. M. Holcomb, Administrator, etc., et al The motion to enter an order dismissing the writ of error herein was submitted to the consideration of the Court by Mr. Joe T. Robinson in support of the same.

The New York & Porto Rico Steamship Co.,
vs. Petitioner.
Archibald A. Bull et al., Respondents

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick W. Brown in support of the same, and Mr. J. Parker Kirlin and Mr. Charles R. Hickox in opposition thereto.

No. 433.

The Town of Steamboat Springs et al.,
vs. Appellants.
The Steamboat Springs Electric Company

Appeal from the Circuit Court of the United States for the District of Colorado.

It appearing to the Court that a motion of counsel for the appellants to dismiss this appeal has been filed. Therefore, in pursuance of said motion, It is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Proclamation being made, the Court is adjourned

Monday, May 24th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William J. Stone, it is ordered that Joseph F. Rutherford, Esquire, of Bonville, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Duncan U. Fletcher, it is ordered that Adam A. Boggs, Esquire, of Miami, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Charles S. Rappleye, it is ordered that Joseph C. Hammerlohr, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and that the certificate apply.

Aurielia Santiago et al., heirs of Jose Elias Santiago, deceased, and Ana Matilde Gonzalez,
vs. Plaintiffs in Error,
Antonio Pons Riquenas, Juan Pons Colon, and Amador Pons Colon, doing business under the name of Pons & Company, and The American Colonial Bank.

In Error to the District Court of the United States for Porto Rico.

127.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody.

(Announced by Mr. Justice Holmes.)

128 Aurielela Santiago et al., heirs of Jose Elias Santiago, deceased, and Ana Matilde Gonzalez, vs. Plaintiffs in Errors, Gil Ramon Gonzalez y Rodriguez. In Error to the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody
(announced by Mr. Justice Holmes)

129 Aurielela Santiago et al., heirs of Jose Elias Santiago, deceased, and Ana Matilde Gonzalez, vs. Plaintiffs in Errors, Teodoro Moscoso and Alejandrina Mora y Fajardo, his wife. In Error to the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued

here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with with costs!

Per Mr. Justice Moody
(announced by Mr. Justice Holmes)

Aurelela Santiago et al., heirs of Jose Elias Santiago, deceased, and Ana Matilde Gonzalez, Plaintiffs in Error, vs. Ana Semidey, widow of Antonio Costa, Antonio Costa y Semidey, Augustin Costa Semidey et al.

In Error to the District Court of the United States for Porto Rico.

130

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed with costs,

Per Mr. Justice Moody
(announced by Mr. Justice Holmes)

148	Miguel Lupino et al., vs. Plaintiffs in Error, La Compañia General de Tabacos de Filipinas	In Error to the Supreme Court of the Philippine Islands

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Moody, announced by Mr. Justice Holmes

165	Western Union Telegraph Co., vs. Plaintiff in Error, Samuel Chiles	In Error to the Supreme Court of Appeals of the State of Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Monday May 24th. 1909. continued

Monday May 2nd A.D. 1910 continued

Monday May 24th 1909 continued

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Rufus W. Peckham Justices
Joseph McKenna
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in the behalf by Mr. William A. Stone, it is ordered that Joseph F. Rutherford, Esquire, of Boonville, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in the behalf by Mr. Duncan U. Fletcher, it is ordered that Adam A. Boggs, Esquire, of Miami, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Chas. A. Bryant, Trustee in the matter of E. M. Newton & Company, bankrupts.
vs. Appellant,
Woodford Bros. Dry Goods Co.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

No. 172.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Arkansas.

per Mr. Justice Moody.
(announced by Mr. Justice Holmes)

Joseph Wild & Co.,
vs. Appellants,
The Provident Life & Trust Company, Trustee of the estate of George Mackinnon & Co., bankrupts.

Appeal from the United States Circuit Court of Appeals for the Third Circuit.

No. 174.

This cause came on to be heard on the transcript

Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania for further proceedings in conformity with the opinion of this Court. 136

Per Mr. Justice Moody
(announced by Mr. Justice White.)

185. Eugene B. Kreigh, Petitioner, vs. Westinghouse, Church, Kerr & Company. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District 150

with directions to grant a new trial.

per Mr. Justice Day.

Maria de las Nieves Cabrera and Magdalena de la Cruz. Appellants, vs. The American Colonial Bank. Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar decrees bear in the courts of Porto Rico.

per Mr. Justice McKenna.

Richard Borup. Plaintiff in Error, vs. The Alfred S. Campbell Art Company. In Error to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and

whereof, It is now here ordered and adjudged by this court that the judgment of the said United States Circuit Court of Appeals, in this cause be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

per Mr. Justice McKenna.

State of Washington, Complainant, vs. State of Oregon. 3. Original. On consideration of the petition for a re-hearing herein and of the arguments of

counsel thereupon had, It is now here ordered by the court that said petition be, and the same is hereby, denied.

per Mr. Justice Brewer.

Adams Express Co., Plaintiff in Error, vs. The Commonwealth of Kentucky. 144. In Error to the Circuit Court of Hart County, State of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of Hart County, State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this court that the judgment of the said Circuit Court

ursed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings not inconsistent with the views expressed in the opinion of this Court.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice Harlan.

The Chief Justice announced that in deference to the recognition of May 31 as a holiday, the Court will adjourn for the term on Tuesday, June 1, instead of Monday, May 31, as heretofore announced.

W. Q. Rogers, Jr., Ellen G. Rogers, John B. Martin et al., vs. Plaintiffs in Error, Joseph T. Jones, the County of Harrison et al.

In Error to the Supreme Court of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

eration and disposition of the case.)

The United States of America.
S. Criminal vs. Complainant,
Joseph F. Shipp et al

This cause came on to be heard on the information filed herein, the answers to the rule to show cause and the evidence, and was argued by counsel. On consideration whereof, it is now here ordered by the Court that the rule to show cause as to the defendants, Matthew Galloway, Bart Justice, and Frank Ward, be, and the same is hereby, discharged, and as to the defendants Joseph F. Shipp, Jeremiah Gibson, Luther Williams, Nick Nolan, Henry Padgett, and William Mayse, that said rule be, and the same is hereby, made absolute. It is further ordered that an attachment against the said last-named defendants be issued, returnable on Tuesday, June 1st, 1909.

per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Peckham
Mr. Justice White
Mr. Justice McKenna.

Ed. Johnson,
Appellant,
vs.
The State of Tennessee.

Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

It appearing to the Court that this cause has abated by reason of the death of the appellant, Therefore, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed

- per Mr. Chief Justice White.

No. 174.

The United States
Fidelity & Guaranty Co
vs.
Plaintiff in Error,
The United States.

In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Montana.

Mrs. Frances E. Waterman, wife of Charles A. Crane, Appellant, vs. The Canal-Louisiana Bank & Trust Co., Executor, &c., et al. (651)

In this cause counsel for the respective parties are required to file briefs on or before the first day of the next term of this Court upon the question whether Frederick Tilton Davis, named in the bill to be a resident of the State of Alabama and outside of the jurisdiction of the court, is an indispensable party to the suit, and in his absence a dismissal of the cause required for want of jurisdiction in the court to proceed without him.

Per Mr. Chief Justice Fuller.

The State of Maryland, Complainant, vs. The State of West Virginia. (Original)

On consideration of the motion to fix a day for the argument of this cause,

It is now here ordered by the court that this cause be, and the same is hereby, assigned for argument on Monday, October 25th next.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of Henry C. Pearson, Petitioner. (Original)

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by

is hereby denied.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of William J. Gobin. Original Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Irrigation Land & Improvement Co., Appellant, vs. Ethan Allen Hitchcock, Secretary of the Interior. On consideration of the motion to substitute R. A. Ballinger, Secretary of the Interior in the place of Ethan Allen Hitchcock, as the party appellee in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Mary E. Courtright, Plaintiff in Error, vs. J. M. Holcomb, Administrator, etc., et al. On consideration of the motion of counsel for the defendants in

the writ of error herein, and of the hearing thereon made, as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

636 Mary Halligan, Administratrix, etc., Appellant vs. The Trinidad Shipping & Trading Co. Limited, et al. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller

7 Great Northern Railway Co., Plaintiff in Error vs. The State of Minnesota. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, November 1st next.

Per Mr. Chief Justice Fuller

Chicago Great Western Railway Co., Plaintiff in Error vs. The State of Minnesota. On consideration of the motion to advance this

here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, November 1st next, after the cause heretofore assigned for that day.

per Mr. Chief Justice Chase

765. Pablo Yordi, Appellant vs. Eugene Tolte, U.S. Marshal, &c. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday October 12th next, after the cause heretofore assigned for that day.

per Mr. Chief Justice Chase

767. Jeff. Weller & Co. et al Appellants vs. Julian Mercer et al It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Chase

775. William J. Morley, a corporation &c vs. Henry L. Hertz, Collector, &c On consideration of the motion to af-

cause, & it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, December 6th next.

Per Mr. Chief Justice Fuller

796 The United States, Petitioners, vs. Bernard Citroen. On consideration of the motion to advance this cause, & it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

857 Henry C. King, Plaintiff in Error, v. The State of West Virginia &c.
858 Henry C. King, Plaintiff in Error, v. The State of West Virginia et al.
859 Henry C. King, Plaintiff in Error, v. The State of West Virginia et al.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in these cases be, and the same is hereby, postponed until the hearing of the cases on the merits.

Per Mr. Chief Justice Fuller.

857 Henry C. King, Plaintiff in Error, vs. The State of West Virginia et al.
858 Henry C. King, Plaintiff in Error vs. The State of West Virginia et al.
859 Henry C. King, Plaintiff in Error, vs. The State of West Virginia et al.
860 Henry C. King, Plaintiff in Error, vs. The State of West Virginia et al.

On consideration of the motion to advance these cases & it is now here ordered by the Court that said

and the cases assigned for argument, as the cases on Monday, December 6th next, after the case heretofore assigned for that day.

Per Mr. Chief Justice Fuller

862 Charles Thomas, Plaintiff in Error, vs. The State of Texas.

On consideration of the motion to advance these causes, It is ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument on Monday, December 13th next, at the head of the call for that day.

Per Mr. Chief Justice Fuller

866 Southern Railway Co., Plaintiff in Error, vs. Samuel E. Greene.

867 Louisville & Nashville Railroad Co., Plaintiff in Error, vs. John W. Gaston.

On consideration of the motion to advance these causes, It is ordered by the Court that said motions be, and the same are hereby, granted, and the causes assigned for argument on Monday, December 13th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller

The Baltimore & Ohio Railroad Co., Appellant
vs.
Interstate Commerce Commission.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby granted, and the cause assigned for argument on Monday, December 13th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

853. Jang Jun and Leung Kum Win, Petitioners,
vs.
Harry Edsell, Chinese Inspector, &c.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted

per Mr. Chief Justice Fuller.

885. The United States, Petitioner
vs.
Albert Eastern

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and the argument of counsel thereupon had, as well in support of as against the same, & it is now here ordered by the Court that said petition be, and the same is hereby, granted.

-per Mr. Chief Justice Fuller.

886. A. H. Grigsby, Petitioner, vs. R. L. Russell and Lizzie Burchard, Administrators of John L. Burchard, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

-per Mr. Chief Justice Fuller.

853. A. D. Clarke and Mrs. A. D. Clarke, his wife, Petitioners, vs. J. W. Harrison. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of

Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

861 The Colorado & Southern Railway Co. vs. J. J. Satterfield. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

865 Leeds & Catlin Co. vs. The American Graphophone Co. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in sup-

by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

868 — City of Quincy, Petitioners, vs. Warren Brothers &c. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, and in support of as against the same, &c it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

872. — The New York Exchange Bank, Petitioner, vs. Robert Patterson Houston and Alfred Stephen Collard, doing business as R. P. Houston & Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, &c

tition be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

875. The United States, Petitioners, vs. Rusch & Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

876. The United States, Petitioners, vs. Titus Platter & Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The United States vs. Petitioner
W. B. Quaintance

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

The Swedish Trading Co. vs. Petitioner,
William S. Wulchstat

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of of certiorari to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

880 The Tweedie Trading Co., Petitioner
vs.
The Steamship "Herm," her engines, etc., A. N. Hanson & Company, Claimants

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. 884.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

882 W. Frank Kinney, Collector of Internal Revenue, Petitioner,
vs.
Samuel Morris Conant and George Mumford Thornton, Executors of Hezekiah Conant, deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. 887.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Charles W. Pickney, &c.
Cornelius A. Calledghan,
trading as N. A. Benner
& Co.,
vs. Petitioners,
The Church Cooperage Co.
& The Little Rock Cooperage Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Norfolk Cold Storage & Ice Company,
vs. Petitioner,
Norfolk & Western Railway Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the

is hereby denied.

per Mr. Chief Jus

No. 87. The Steamship Miramar Company, Limited, Petitioner, vs. The Munson Steamship Line.

On consideration of the petition for certiorari herein to the United States Court of Appeals for the Second Circuit and of the argument of counsel thereupon had in support of and against the same, it is now here ordered by the Court that the petition be, and the same is hereby, denied.

per Mr. Chief Jus

No. 578. The New York & Porto Rico Steamship Co., Petitioners, vs. Archibald A. Bull et al., owners of the steamship "Pine."

On consideration of the petition for certiorari herein to the United States Court of Appeals for the Second Circuit, and

No. 87. The Steamship Miramar Company, Limited, Petitioner, vs. The Munson Steamship Line.

On consideration of the petition for certiorari herein to the United States Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had in support of and against the same, it is now here ordered by the Court that the petition be, and the same is hereby, denied.

per Mr. Chief Justice

No. 578. The New York & Porto Rico Steamship Co., Petitioners, vs. Archibald A. Bull et al., owners of the steamship "Pine."

On consideration of the petition for certiorari herein to the United States Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had in support of and against the same, it is now here ordered by the Court that the petition be, and the same is hereby,

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and the same is hereby, denied.

Per Mr. Chief Justice Fuller

310 The United States, Plaintiff in Error
vs.
K. P. Plowman

Mr. Solicitor General Bowers, of counsel for the plaintiff in error, suggested the death of K. P. Plowman, the defendant in error in this cause, and moved the Court for an order, under the 15th Rule, to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said K. P. Plowman, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court the plaintiff in error shall be entitled to open the record, and, on hearing, have the judgment reversed, if it be erroneous; Provided that a copy of this order shall be printed in some newspaper of general circulation within the State of Idaho, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

896 The United States, Petitioner
vs.
Berlinger, Brown & Meyer

The petition for a writ of certiorari herein was submitted to the conside

by Mr. Solicitor General Bowers in supp
the same, and Mr. Joseph H. Kammerlo
in opposition thereto.

897. John K. Morris, Petitioner
vs.
The United States

The petition for a w
of certiorari herein
submitted to the co
eration of the Court
unfriended argument by Mr. Thomas J. Fa
roy and Mr. Shepard Barclay in suppor
the same, and leave was granted Mr. Soli
General Bowers, of counsel for the respond
to file a brief in opposition thereto on or b
Friday next.

898. Clarence A. Vennur et al.,
vs. Plaintiffs in Error,
The Denver Union Water Co.
The Denver Water Co., et al.

Mr. Elijah
Zoline, of cou
for the plain
in error, re
quested the
of Carlos S. Greeley and James V. Dexter, t
the defendants in error in this cause, and
moved the Court for an order, under the
Rules, to make the proper representatives
tiis. Whereupon, It is now here ordered b
the Court that unless the proper, repuse n
tives of the said Carlos S. Greeley and Ja
V. Dexter, deceased, as aforesaid, shall vol
tarily become parties within the first ten
of the ensuing term of this Court, the plaintiff

hearing, have the judgment reversed, if it be erroneous; Provided that a copy of this order shall be printed in some newspaper of general circulation within the State of Colorado, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

State of North Carolina, Complainant, vs. State of Tennessee. (Original) — The motion for leave to file an amended bill of complaint herein was submitted to the consideration of the Court by Mr. Theodore F. Davidson, Mr. C. B. Mathews and Mr. T. W. Pickett in support of the same, and Mr. Charles T. Cates, Jr. in opposition thereto.

The Moore Printing Typewriter Co., Russell W. Montague and George P. Montague, Appellants, vs. National Savings & Trust Co., American Stenograph Co., Ernest M. Peaco et al. (452) — Mr. George P. Montague, of counsel for the appellants, suggested the death of William P. Maine and Amanuo Devine, two of the appellees in this cause, and moved the Court for an order, under the 15th Rule, to make the proper representatives parties. Whereupon, It is now here ordered by

of the said William C. Muins and Andrew Devine, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellants shall be entitled to open the record, and, on hearing, have the decree reversed, if it be erroneous; Provided, that a copy of this order shall be printed in some newspaper of general circulation within the District of Columbia, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

F. S. Kretzinger, Trustee, vs. James H. Brown, Executor, &c., et al. (Petitioned). The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry T. Rogers in support of the same, and Mr. Henry A. Dubbe in opposition thereto.

867.

(Proclamation being made, the Court is adjourned

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White Associate
Rufus W. Peckham Justices
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in that behalf by Mr. William Alden Smith it is ordered that J. G. Lawson, Esquire, of Grand Lake, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in that behalf by Mr. Frank Clarke, it is ordered that Alfred B. Small, Esquire, of Lake Weily, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

-half by Mr. William E. Harvey, it is ordered that Harry Cooper, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. L. Lott, it is ordered that Marshall B. Woodworth, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Charles M. Fore, Esquire, of Shelbyville, and Harry Helm, Esquire, of Stanford, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that Edward J. Kent and Harvey A. Miller, Esquires, of Pittsburg, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick L. Bryan, it is ordered that

State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert S. Hume, it is ordered that Henry E. Mattison, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Lamar, it is ordered that Gibbs L. Baker, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that James D. Armstrong and Charles Donnelly, Esquires, of St. Paul, State of Minnesota, and James A. Gibson, Esquire, of Los Angeles, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

No. Original. The United States of America Complainant. vs. Joseph F. Shipp et al.

The Marshal of this Court made return to the attachment heretofore issued herein by producing the bodies of the defendants, Joseph F. Shipp, Jeremiah Gibson, Luther Williams, Nick Nolan, Henry Padgett and William Mayes, who appeared in open Court in their proper persons, and thereupon the Solicitor General moved the Court for sentence upon the said defendants above named, and counsel for the said defendants moved the Court for leave to file a petition for rehearing, Whereupon, upon consideration, It is now here ordered by the Court that leave be, and the same is hereby, granted to file motions for leave to file petitions for rehearing herein within thirty days. It is further ordered that the said above named defendants be remanded to the custody of the United States Marshal for the Eastern District of Tennessee, he having been deputized by the Marshal of this Court to serve the attachment herein, to be released on entering into recognizances in the penal sum of one thousand dollars each, conditioned to abide the further order of the Court, before the Judge of the District Court of the United States for the Eastern District of Tennessee.

Per Mr. Chief Justice Fuller.

The Expanded Metal Co., and Henry Chase, Walter Chase and Harry B. Chase, Copartners as Chase Brothers, Petitioners, vs. Eugene L. Bradford, Joseph L. Williamson, N. J. Schmucker, Jr., and N. J. Schmucker.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

66

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Pennsylvania for further proceedings consistent with the opinion of this Court.

Per Mr. Justice Day.

The General Fireproofing Co., Petitioner, vs. The Expanded Metal Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

606

script of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Ohio for further proceedings consistent with the opinion of this Court.

Per Mr. Justice Day.

124 Mollie E. Dupree and William E. Dupree, Petitioners, vs. C. W. Mansur.

It is ordered by the Court that the decree heretofore entered by this Court in this cause be amended so as to provide that the case will be remanded to the Circuit Court for further proceedings in accordance with the opinion, without prejudice to the question whether the bill can be maintained.

Per Mr. Justice Holmes.

Helen R. English and Honora English, his wife.
vs.
The Territory of Arizona at the relation and to the use of Victor L. Griffith, Treasurer and ex officio Tax Collector in and for the County of Pima in the Territory of Arizona.

Appeal from the Supreme Court of the Territory of Arizona.

No. 25.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the rate per annum that similar decrees bear in the Courts of the Territory of Arizona.

per Mr. Justice McKenna.

Weems Steamboat Co., of Baltimore City,
vs.
People's Steamboat Co., William D. Carter, President, et al.

Writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

No. 181.

This cause came on to be heard on the transcript

Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Virginia with directions to enter a decree, as prayed for in the bill of complaint for an injunction.

per Mr. Justice Peckham.

The United States, vs. National Exchange Bank of Providence — Petitioners, — In Error to the United States Circuit Court of Appeals for the First Circuit.

No. 10.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that the judgment of the Circuit Court of the United States for the District of Massachusetts be, and the same is hereby affirmed; and that this cause be, and the same

508 Oceanic Steam Navigation Co., Limited
vs. Plaintiff in Error
Nevada N. Stranahan.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White

510 International Mercantile Marine Co.,
vs. Plaintiff in Error
Nevada N. Stranahan.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

511. International Mercantile Marine Company. vs. Nevada N. Brownhurst

In Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice White.

104 Southern Railway Co. vs. St. Louis Hay & Grain Co.

In Error to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that the judgment of the Circuit Court of the United States for the Eastern District of Illinois be and the same is hereby, reversed with costs;

remanded to the said Circuit Court with direction to send the matter back to the Interstate Commerce Commission for further investigation and report.

per Mr. Justice Brewer

Order

It is now here ordered by the Court that the Rules for Practice and Procedure under Section 25 of the Act to amend and consolidate the Acts respecting Copyright, approved March 4, 1909, to go into effect July 1, 1909, this day adopted and established by the Court, be, and the same are hereby, promulgated as such.

per Mr. Chief Justice Fuller

The State of North Carolina, Complainant: On consideration
ual. vs. of the motion for leave
The State of Tennessee. file an amended
bill of complaint
herein, and of the argument of counsel thereupon had, de well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller

Ex parte: In the matter of On consideration
nton Kiechiagson. of the motion for
ual. Petitioner, leave to file a peti-

mandamus herein, & it now here
the Court that said motion be, a
is hereby, denied.

Per Mr. Chief Justi

No 14. T. L. Metzinger, Trustee, vs. James H. Brown, as Executor of Henry Lo. Brown, deceased, etc. et al. Petitioner.

On consideration of the petition for
certiorari herein to the United Sta
Court of Appeals for the Eighth Cir
the argument of counsel thereupon &
in support of & against the same, i
here ordered by the Court that sai
be, and the same is hereby, denied.

Per Mr. Chief Jus

No 16. The United States, vs Berlinger, Brown & Thayer. Petitioners.

On petition
certiorari to
States Circu
Appeals for th
Circuit.

On consideration of the petition for a
certiorari herein to the United Stat
Court of Appeals for the Second Circu
the argument of counsel thereupon &
well in support of as against the sa
now hereby ordered by the Court that

tition be and the same is hereby, denied.
per Mr. Chief Justice Fuller

Johnson R. Morris, Petitioner,
597 vs. On petition for writ of certiorari to the
The United States United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument & counsel thereupon heard, as well in support of as against the same, & it is now here ordered by the Court that said petition be, and the same is hereby, denied.
per Mr. Chief Justice Fuller

The State of Louisiana ex rel. Louis A. Hubert, Receiver, etc. Plaintiff in Error,
56. vs. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for oral argument.
The Mayor and Council of the City of New Orleans
per Mr. Chief Justice Fuller

15. Original. The United States of America, Complainant, vs. The People of the State of New York and John E. Andrus, William Archer and John J. Brown, as Commissioners of the Bronx River Valley Sewer.

On motion of Mr. Solicitor General Bowers, of counsel for the complainant, it is ordered by the Court that leave be, and the same is hereby, granted to file the bill of complaint herein and process is ordered to issue returnable on the first day of the next term.

35. J. E. Fleming et al., Appellants, vs. Green McCurtain et al.

Mr. Webster Ballinger, of counsel for the appellants, suggested the resignation of James R. Garfield and the appointment of Richard A. Ballinger as his successor, as Secretary of the Interior, and moved the Court to make the said Richard A. Ballinger, as Secretary of the Interior, a party appellee in this cause. Whereupon, it is now here ordered by the Court that the said Richard A. Ballinger, Secretary of the Interior, be, and he is hereby, made a party appellee in this cause.

906. American Manufacturing Co. Petitioner, vs. The Steamship "Wildenfels" &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frederick W. Brown in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto within two weeks.

907. Charles F. Harris, late owner, etc., Petitioner vs. The Ferryboat "Lackawanna" &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick W. Brown in support of the same and Mr. James J. Macklin and Mr. De Lagnel Berlin in opposition thereto.

908. Pyman Steamship Co. Limited, Petitioners, vs. Mexican Central Railway Co., Limited. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. J. Turner Kirlin in support of the same, with leave to counsel for the respondent to file a brief in opposition thereto within two weeks.

Tuesday, June 1st, 1909. cont

874.	Novelty Incandescent Lamp Co., vs. Edison Electric Light Co	The pe... a writ... rari t... submitte...

consideration of the Court on printed ... ments by A. Parker Smith in support ... and Mr. Richard N. Dyer and Mr. ... Robert Taylor in opposition thereto.

881.	William F. Goessling. vs. Petitioner Thomas B. Collier	The petition f... of certiorari ... was submitte... consideration ...

Court by Mr. E. S. McCalmont and Mr. ... C. Loring in support of the same.

878.	American Woodworking Machinery Co., et al., vs. Petitioners, Union Trust Co., et al.	The petition f... of certiorari ... was submitt... consideration ... Court by Mr. ...

A. Douglas and Mr. Gibbs L. Baker in ... of the same.

137.	Buenaventura Ubarri é Ygamategui, vs. Plaintiff in Error, Jacinto Lorenzo Lopez Labordet et al.	The motion ... to present a ... for rehearing ... this cause ... tered on pre... Mr. George H. ...

of counsel for the defendant ...

The Henry Dubois Sons Company &c.
921. vs. Petitioner,
The Steam Tug "Eugene F. Moran," &c. et al.
The Henry Dubois Sons Company &c.
922. vs. Petitioner,
The New York Central & Hudson River Railroad Company et al.

The petition for writs of certiorari herein was submitted to the consideration of the Court by Mr. Henry E. Mattison, Mr. James Emerson Carpenter and Mr. Samuel Parkin in support of the same.

Central of Georgia Railway Co.
894. vs. Plaintiff in Error
John B. Gaston

Mr. C. B. Northrop, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

Order.

It is now here ordered by the Court that all the cases on the docket not decided and all the other business of the term not disposed of be, and the same are hereby, continued until the next term.

Per Mr. Chief Justice Fuller.

Proclamation being made, the Court is ad-

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At the Capitol of the United States, in the City of Washington, and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October (being the eleventh day of the same month) in the year of our Lord one thousand nine hundred and nine and of the Independence of the United States the one hundred and thirty-fourth, the Supreme Court of the United States met agreeably to law.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes.
William R. Day
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Wilfred Leary Lane, Esquire, of Valdosta, State of Georgia; William J. Hurley and William L. Reed, Esquires, of Chicago, State of Illinois, and Lewis [illegible]

be admitted to practice as attorneys and counsellors of this Court, and they were accordingly.

On motion first made to the Court in behalf by Mr. George A. King, it is ord that Archibald King, Esquire, of Washington District of Columbia, be admitted to pra tice as an attorney and counsellor of th Court, and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. James Hamilton Lewis, ordered that W. P. Bell, Esquire, of Eve State of Washington, and M. L. McKinn Esquire, of Chicago, State of Illinois, be a te d to practice as attorneys and counsel of this Court, and they were sworn accord

On motion first made to the Court in behalf by Mr. Charles J. Kappler, it is o that George O. Davis, Esquire, of Weathe State of Oklahoma, be admitted to practi as attorney and counsellor of this Court, he was sworn accordingly.

On motion first made to the Court in behalf by Mr. Nash Rockwood, it is ord that Charles C. Lester, Esquire, of Saratog Springs, State of New York, be admitted to

Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Henry Dennis, it is ordered that Gustavus Renwick, Jr., Esquire of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Benjamin Micou, it is ordered that C. C. Mount, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jackson H. Ralston, it is ordered that Albert L. Moise, Esquire, of Philadelphia, State of Pennsylvania, and Rufus W. Sprague, Jr., Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isaac R. Hitt, Jr., it is ordered that Harry C. McCarty, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and

Monday, October 11th. 1909, co

On motion first made to the Court
-behalf by Mr. J. J. Darlington, it is
that Daniel M. O'Donoghue, Esqu
the District of Columbia, and E. O
Shealey, Esquire, of Cherry Grove, State
Maryland, be admitted to practice
torneys and counsellors of this Co
they were sworn accordingly.

On motion first made to the Court
behalf by Mr. A. B. Browne, it is o
that Charles A. Dickey and Lyle A.
Esquires, of Honolulu, Territory of Ha
and Leon Brooke Leavitt, Esquire, o
York City, be admitted to practice as
neys and counsellors of this Court, a
they were sworn accordingly.

On motion first made to the Court in
behalf by Mr. Frederic D. McKenney,
ordered that William H. Hayden, Es
of Tacoma, State of Washington, and
Guthrie B. Plante, Esquire, of New Yor
be admitted to practice as attorneys a
counsellors of this Court, and they we
sworn accordingly.

On motion first made to the Court
behalf by Mr. M. D. Rosenberg, it
dered that Marcus A. Burnstine, E

an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church, it is ordered that Eugene C. Brown, Esquire, of Washington, District of Columbia, and Nathan Sheard, Esquire, of Boston, State of Massachusetts be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that James G. Fitch, Esquire, of Socorro, Territory of New Mexico be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William B. Hornblower, it is ordered that William M. Chadbourne, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Carlisle, it is ordered that Howard A. Nieman, Esquire, of New York City, be admitted to practice as an at-

was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harrington Putnam, it is ordered that Avery Fayette Buchman, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oscar Luckstone, it is ordered that Henry S. Drinker, Jr., Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Harr, it is ordered that A. A. Richards, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that James M. Hunt, Esquire of New York City, and George Clinton, Jr., Esquire, of Buffalo, State of New York, be

counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Ritchie, it is ordered that Charles L. Heltman, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

362 Interstate Commerce Commission, Appellant, vs. The Delaware, Lackawanna & Western Railroad Company. Mr. Solicitor General Bowers, of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

370. Interstate Commerce Commission, Appellant, vs. Northern Pacific Railway Company. Mr. Solicitor General Bowers, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

506 Samuel R. Colhoun, Appellant, vs. The United States. The suggestion of diminution of the record and motion for a writ of

consideration of the Court on printed arguments by Mr. George A. King in support of the same, and Mr. Solicitor General Bowers in opposition thereto.

Laurence E. Sexton, Trustee, &c.,
No. 130. vs. Appellant,
Kessler & Company, Limited, et al.

Mr. Jackson H. Ralston, in behalf of Counsel, submitted to the consideration of the Court a motion to advance this cause.

David MacKenzie,
No. 163. vs. Plaintiff in Error,
Grace MacKenzie

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Harris F. Williams in support of the same, and Mr. R. G. Dyrenforth in opposition thereto.

David Murray et al &c.,
No. 603. vs. Appellants,
The United States.

William Brown et al., &c.,
No. 604. vs. Appellants,
The United States.

Mr. W. H. Robeson, of counsel for the appellants, submitted to the consideration of the Court motions to advance these cases.

Ex parte: In the matter of J. W. Gruetter. — Original — Petitioner

Mr. W. H. Robeson, of counsel for the petitioner, submitted to the consideration of the court a motion for leave to file a petition for a writ of mandamus herein.

600 The Adelbert College of the Western Reserve University, Petitioner, vs. The Wabash Railroad Company et al.

601 Cyprus E. Pierson et al., Petitioners vs. The Wabash Railroad Company et al.

The petitions for writs of certiorari in these cases were submitted to the consideration of the court on printed arguments by Mr. John C. F. Gardner, Mr. Lawrence Maxwell and Mr. Murray Seasongood in support of the same, and Mr. John K. Doyle, Mr. Judson Harmon, Mr. John C. Milburn and Mr. Rush Taggart in opposition thereto.

8 Original — The United States of America, Complainant, vs. The People of the State of New York et al.

On motion of Mr. James M. Hunt, of counsel, leave is hereby granted to file the answer of John E. Andrus et al., Commissioners, etc., defendants here-

575. The Cuba Railroad Co., Petitioner, vs. Walter E. Crosby. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward Mansfield in support of the same, and Mr. Edwin L. Walsh in opposition thereto.

619. The American Trust Co., of Boston, Mass., Petitioner, vs. W. & A. Fletcher Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. F. Cushman, Mr. William Arthur Sargent and Mr. Elmer P. Howe in support of the same, and Mr. Harrington Putnam and Mr. Edward S. Dodge in opposition thereto.

609. Perth Amboy Dry Dock Co., Appellant, vs. Monmouth Steamboat Co. — On motion of Mr. A. F. Cushman, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, advanced pursuant to the 32 d rule.

610 Dudley O. Watson et al., Petitioners vs. Ernest L. Greenwood et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edgar L. Pershing in support of the same, and Mr. Joseph J. de Jurdin, Mr. G. W. Pepper and Mr. W. B. Bodine, Jr., in opposition thereto.

474 Bettie Majors and A. T. Ball, Trustee, Petitioners vs. N. C. Williamson. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. D. Saunders, Mr. Joseph Hirsch and Mr. Murray F. Smith in support of the same, and Mr. George Anderson in opposition thereto.

596 William G. Hunt et al., Petitioners vs. Arthur K. Brown, Surviving Receiver, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Samuel H. Runyacker in support of the same, and Mr. Malcolm Lloyd, Jr., Mr. Reynolds D. Brown and Mr. Charles A. Burr in opposition thereto.

J. Original. The State of North Carolina, Complainant, vs. The State of Tennessee. On motion of Mr. Charles T. Bates, Jr., of counsel for the defendant, leave is hereby granted to file answer and cross-bill of said defendant.

626. The Aetna Indemnity Co., Petitioner, vs. Farmers' National Bank of Boyertown. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Gustavus Remak, Jr., and Mr. George M. Mackellar in support of the same, and Mr. S. A. Alleman in opposition thereto.

616. The New York, New Haven & Hartford Railroad Co., Claimant, &c., Petitioner, vs. The Steamship "Calderon" &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William S. Montgomery in support of the same, and Mr. Harrington Putnam in opposition thereto.

602. Fourth Street National Bank, Petitioner, vs. A. Merritt Taylor et al., Trustees. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Henry S. Drinker, Jr., and Mr. Samuel Dickson in support of the same.

601. Northwestern Mutual Life Insurance Co., Petitioner, vs. J. William McCue et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. William A. White, Jr., and Mr. William A. White in support of the same.

608. John J. Boland et al., Petitioners, vs. The Steam Vessel "Oceanica" &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George Clinton, Jr., and Mr. George Clinton in support of the same, and Mr. Thomas C. Burke in opposition thereto.

621. The Mutual Life Insurance Company of New York, vs. Petitioner, Adolph L. Grisa et al., as executors and trustees &c., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Thomas F. Doran and Mr. James McKeen in support of the same.

617. Edward Cardwell, vs. Petitioner, The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Arthur A. Birney in support of the same, and Mr. Solicitor General Bowers in opposition thereto.

614. Stuart Lindsley, vs. Appellant, Natural Carbonic Gas Co., et al. Mr. Guthrie B. Rawls, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

517. Hub Construction Co., vs. Petitioner, Nathaniel W. Hobbs, Trustee, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Howard A. Nie-

of the same, and Mr. Edwin H. Eastman in opposition thereto.

627 The Delaware & Hudson Co., Petitioner, vs. The Albany & Susquehanna Railroad Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James M. Beck and Mr. Charles M. Brown in support of the same, and Mr. George Willwood Murray, Mr. E. Parmalee Prentice and Mr. Charles P. Howland in opposition thereto.

387 The City of Newburyport, Petitioner, vs. Citizens Savings Bank. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William R. Harr in support of the same, and Mr. Edward F. McClennen in opposition thereto.

563 The United States Fidelity & Guaranty Co., Appellant, vs. M. J. Bray et al. The motion to dismiss or affirm in this cause was submitted to

in support of the same, and Mr. B. M. Ambler, in opposition thereto.

365. The United States Fidelity & Guaranty Co., vs. M. J. Bray et al. Appellant. Mr. L. D. Michener, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

1068 10th Abigail K. Campbell Parker, vs. Abigail K. Campbell Parker et al., Trustees, &c., et al. Appellant. Mr. A. B. Browne of counsel for the appellant, suggested the death of Abigail K. Campbell Parker, and moved the Court to make the Hawaiian Trust Company, Limited, and Muriel Campbell Shingle, Executors of Abigail K. Campbell Parker, the parties appellants in these cases, and to make Heinrich Martens Van Holt, trustee, as a party appellee in these cases in the place of the said Abigail K. Campbell Parker, deceased, as aforesaid. Whereupon, It is now here ordered by the Court that the said Hawaiian Trust Company, Limited, and Muriel Campbell Shingle, executors of Abigail K. Campbell Parker, deceased, be made the parties appellants in these cases, and that Heinrich Martens

Monday. October 11th. 1909 continued

a party appellee in these cases.

469 Frederick J. Lowrey et al., Trustees, etc., vs. The Territory of Hawaii, Appellants. Mr. A. B. Browne, in behalf of counsel, submitted to the consideration of the court a motion to advance this cause.

605 John Flannelly et al., vs. The Delaware & Hudson Co. Petitioners. The petition for a writ of certiorari herein was submitted to the consideration of the court on printed arguments by Mr. Frank W. Hackett in support of the same, and Mr. James H. Torrey in opposition thereto.

618 E. E. Androvette, vs. The Steamship "Buralong" &c. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the court on printed arguments by Mr. William S. Montgomery in support of the same, and Mr. J. Parker Kirlin and Mr. John M. Woolsey in opposition thereto.

625. The Hood Rubber Co., vs. Petitioner. The Atlantic Mutual Insurance Company. The petition for a writ of certiorari herein was submitted to the consideration of the court on printed arguments by Mr. Harrington Putnam in support of the same, and Mr. John G. Milburn and Mr. Walter F. Taylor in opposition thereto—

6 Brown-Forman Co., vs. Plaintiff in Error, Commonwealth of Kentucky. On motion of Mr. Levi Cooke, of counsel for the plaintiff in error,

It is ordered by the court that this cause be, and the same is hereby, passed temporarily.

950. Theodore A. Price, vs. Appellant. William Henkel, U.S. Marshal, &c., et al. On motion of Mr. T. S. Fuller, of counsel for the appellant,

It is ordered by the court that this cause be, and the same is hereby, re-assigned for argument on Monday, December 13th next, after the cases heretofore assigned for that day.

366. Frederick A. Peckham
vs. Appellant.
William Henkel, U.S. Marshal, &c.,
367. Moses Haas,
vs. Appellant.
William Henkel, U.S. Marshal, &c.

On motion of Mr. Nash Rockwood of counsel for the appellants, it is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Monday, December 13th next, after the cases heretofore assigned for that day

505. El Paso & Northeastern Railroad Co.
vs. Plaintiff in Error &
Eurdina Gutierrez, Administratrix, &c.

This cause was submitted to the consideration of the Court on the record and printed arguments, pursuant to the 20th rule, by Mr. P. W. Gregory and Mr. W. C. Keagin, of counsel for the plaintiff in error, and Mr. F. G. Morris, of counsel for the defendant in error.

3. United States of America, suing at the costs and for the benefit of Penn Iron Co. Limited
vs. Plaintiff in Error &
William R. Trigg Co. and Virginia Trust Co.

In Error to the Supreme Court of Appeals of the State of Virginia.

counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The People of Porto Rico, Appellants, vs. The Roman Catholic Apostolic Church in Porto Rico. — Appeal from the Supreme Court of Porto Rico.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The Roman Catholic Apostolic Church in Porto Rico, Appellant, vs. The People of Porto Rico. — Appeal from the Supreme Court of Porto Rico.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss

unce of said stipulation, it is now here ordered, adjudged and decreed by this court that this appeal be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller

W. B. Hadley, Acting Auditor of Porto Rico, Appellant, vs. A. H. Scoville, Clerk, A. S. Hubbard, Marshal, and Salvador Frias, Jurors. — Appeal from the District Court of the United States for the District of Porto Rico.

73.

It appearing to the court that a motion by counsel for the appellant to dismiss this appeal has been filed. Therefore, in pursuance of said motion, it is now here ordered, adjudged, and decreed by this court that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller

Supreme Council of the Royal Arcanum, Plaintiff in Error, vs. A. H. Brem[illegible]. — In Error to the Supreme Court of the State of North Carolina.

82.

It appearing to the court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore in pursuance of said motion, it is now here ordered and adjudged by this court that

same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

170. Julio O. Abril, as attorney in fact of Jose T. Silva. vs. Modesto Lobian y Muniz, Appellant, — Appeal from the Supreme Court of Porto Rico.

It appearing to the court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

216. The Atchison, Topeka & Santa Fe Railway Company, vs. Emma M. Sewell, Plaintiff in Error, — In Error to the Supreme Court of the State of Kansas.

It appearing to the court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Wyrd Lumber Company Incorporated, Plaintiff in Error, vs. Henderson-White Manufacturing Co., Incorporated. In Error to the Supreme Court of Appeals of the State of Virginia.

324

It appearing to the court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

Harrison Crook, Plaintiff in Error, vs. International Trust Co. of Maryland. In Error to the Court of Appeals of the District of Columbia.

408

It appearing to the court that an authority of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said authority, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

1404. Harrison Crook, Plaintiff in Error, vs. International Trust Co. of Maryland. In Error to the Court of Appeals of the District of Columbia.

It appearing to the Court that an authority of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said authority, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

The Chief Justice announced that the usual visit to the President of the United States would have to be omitted owing to his absence from the city, and the Court would receive motions noticed for today that were ready for submission, and that the call of the docket would commence tomorrow, - pursuant to the twenty-sixth rule.

(Proclamation being made, the Court is adjourned

Tuesday, October 12th, 1909.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal
James A. McKenney, Esquire, Clerk

Proclamation being made, the Court was opened

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it was ordered that George F. Hickey, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Johnson, it was ordered that Jones Fuller, Esquire, of Durham, State of North Carolina, and William R. Perkins, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred P. Thom, it is ordered that William A. Glasgow, Jr., Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. J. Farrell, it is ordered that Frank Comerford, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Leonard C. Crouch and Albert P. Fowler, Esquires, of Syracuse, State of New York be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

C.C.P.

Guaranty Trust Co. of New York, Appellant,
vs
Metropolitan Street Railway Co., et al.

Mr. F. D. McKenney, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause

149.	The Louisville & Nashville Railroad Co., vs. Plaintiffs in Error & Erasmus L. Mottley et ux.	Mr. Henry L. Stone of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.
620	Alfred L. Sweeney, vs. Petitioner & Edward B. Smith et al	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William L. Royall and Mr. George Denming in support of the same, and Mr. William A. Glasgow, Jr., in opposition thereto.
316.	The United States, vs. Appellant. The American Tobacco Co. et al.	Mr. William L. Royall submitted to the consideration of the Court a motion for leave to file a printed brief herein as amicus curiae.
317.	The American Tobacco Co., et al., vs. Appellants. The United States.	
632	The Belt Railway Co. of Chicago, vs. Petitioners & The United States.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on

and Mr. William J. Hurley in support of the same, and Mr. Solicitor General Bowers in opposition thereto.

519 Frank H. Waskey et al., Petitioners, vs. Joseph Hammer et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles C. Heltman, Mr. Joseph C. Campbell, Mr. W. A. Metson and Mr. Charles F. Consaul in support of the same.

207 The Interstate Commerce Commission, Appellant, vs. A. B. Stickney et al., Receivers, et al. The argument of this cause was commenced by Mr. Assistant to the Attorney General Ellis, of counsel for the appellant; continued by Mr. William D. McHugh and Mr. Walker D. Hines, of counsel for the appellees, and concluded by Mr. S. H. Cowan, of counsel for the appellant. Leave was granted to counsel for the appellant to file a reply brief herein within five days.

375. Southern Pacific Co., et al., vs. Interstate Commerce Commission. Boards of Commerce for the Southern Pacific Company et al.

The argument of this cause was commenced by Mr. Manning

Proclamation being made the Court is adjourned

Wednesday, October 13th. 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day,
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John C. Gittings, it is ordered that Henry F. Munn, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

216 The United States, Appellant, vs. The American Tobacco Co., et al.
317 The American Tobacco Co., et al., Appellants, vs. The United States.

On motion of Mr. Attorney General Wickersham, It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Monday, December 13th next,

Wednesday, October 13th. 1909, continued

275 Southern Pacific Co, et al., vs. Interstate Commerce Commission

The argument of this cause was continued by Mr. Warner Everts, of counsel for the Southern Pacific Company et al., and Mr. Assistant to the Attorney General Ellis, of counsel for the Interstate Commerce Commission, and concluded by Mr. Maxwell Evarts, of counsel for the Southern Pacific Company et al.

120 The United States, Plaintiff in Error, vs. The Union Supply Co.

The argument of this cause was commenced by Mr. Solicitor General Bowers, of counsel for the plaintiff in error

(Proclamation being made, the Court is adjourned

Thursday, October 14th, 1909.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that W. Irvine Cross, Esquire, of Baltimore, State of Maryland, and Garrard B. Winston, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Hemphill, it is ordered that Henry R. Gober, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

120 The United States, Plaintiff in Error, vs. The Union Supply Co. — The argument of this cause was continued by Mr. Solicitor General Bowers, of counsel for the plaintiff in error, and concluded by Mr. Isaac R. Hitt, Jr., of counsel for the defendant in error.

235. The United States vs. Plaintiff in Error, Bob Celestine — This cause was argued by Mr. Assistant Attorney General Harr, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

236. The United States, vs. Plaintiff in Error, John A. Corbett et al. — This cause was argued by Mr. Assistant Attorney General Fowler, of counsel for the plaintiff in error, and Mr. G. J. Conner, of counsel for the defendants in error.

275. The United States vs. Plaintiff in Error, Simon J. Meccall — This cause was argued by Mr. Assistant Attorney General Fowler, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. George F. Hickey, of counsel for the defendant in error.

The United States,
292 & 293. vs Plaintiff in Error,
Tilden B Stevenson et al

The argument of these cases was commenced by Mr. Solicitor General Bowers, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Friday. October 15th. 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
John M. Wright. Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. M. D. O'Connell, it is ordered that Andrew Miller, Esquire, of Bismarck, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tracy L. Jeffords, it is ordered that Thomas S. Hawes, Esquire, of Bainbridge, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

292 & 293 The United States, Plaintiff in Error, vs. Tilden B. Stevenson et al

The argument of these cases was concluded by Mr. Solicitor General Bowers, of counsel for the plaintiff in error, and the cases were submitted on printed arguments by Mr. Herbert Parker, of counsel for the defendants in error.

312. The United States, Plaintiff in Error, vs. Harvey Sutton et al.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Harr, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

282 The Interstate Commerce Commission, Appellant, vs. The Chicago & Alton Railroad Co.

283 The Interstate Commerce Commission, Appellant vs. The Illinois Central Railroad Co.

The argument of these cases was commenced by Mr. Assistant to the Attorney General Ellis, of counsel for the appellant; continued by Mr. W. S. Kenyon, of counsel for the Illinois Central Railroad Company, and Mr. Garrard B. Winston of counsel for the Chicago & Alton Railroad Company, and concluded by Mr. Luther M. Wal-

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The Baltimore & Ohio Railroad Company,
vs.
The Interstate Commerce Commission.

The argument of the cause was commenced by Mr. W. Irvine Cross, of counsel for the Baltimore & Ohio Railroad Company and continued by Mr. Assistant to the Attorney General Ellis, of counsel for the Interstate Commerce Commission.

Proclamation being made, the Court is adjourned

Monday, October 18th, 1909.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that Challen B. Ellis and Charles F. Williams, Esquires, of Cincinnati, and Orla E. Harrison, Esquire, of Greenville, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward A. Moseley, it is ordered that William E. Lamb, Esquire, of Cedar Rapids, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn according-

On motion first made to the Court in this behalf by Mr. Henry T. Van Dyke, it is ordered that William J. Rohde, Esquire of Manila, Philippine Islands, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Hochling, Jr., it is ordered that Roy C. McHenry, Esquire, of Binghamton State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Luther M. Walter, it is ordered that Mazzini Slusser, Esquire, of Wheaton, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Lamar, it is ordered that Oliver M. Harvey, Esquire, of Livingston State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse C. Adkins, it is ordered

State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1466. Central of Georgia Railway Co., Plaintiff in Error, vs. John B. Gaston. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 3, 1912.

Per Mr. Chief Justice Fuller.

American Woodworking Machinery Co., et al., Petitioners, vs. Union Trust Co., et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

463. William F. Goessling, Petitioner, vs. Thomas B. Collier

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

464. Novelty Incandescent Lamp Co., Petitioner, vs. Edison Electric Light Co.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Monday, October 18th, 1909, continued.

471.	The Henry Dubois Sons Co., claimant, &c., vs. The Steam Tug "Eugene F. Moran", Michael Moran, claimant, et al. (Petitioner)	On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

472.	The Henry Du Bois Sons Co., claimant, &c., vs. The New York Central & Hudson River Railroad Co., et al. (Petitioner)	On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari hereon to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

	Tyman Steamship Co., Limited,	On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.
475.	vs. Petitioner,	
	Mexican Central Railway Co., Limited.	

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

	American Manufacturing Co.,	On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.
476.	vs. Petitioner,	
	The Steamship "Waldenfels," etc., et al.	

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Charles F. Harris, late owner of the steam tug "De Veaux Powel," Petitioner,
vs.
The Ferryboat "Lackawanna" etc., The Hoboken Ferry Co., Claimant.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

Ex parte: In the matter of J. H. Gruetter, Petitioner.

(Original)

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that the said motion be, and it is hereby, granted

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of J. W. Gruetter, Petitioner. 4 Original

On consideration of the petition of J. W. Gruetter, It is now here ordered by the Court that cause be shown by the Honorable E. T. Sanford, Judge of the District Court of the United States for the Middle Division of the Middle District of Tennessee, holding the Circuit Court of the United States for the Middle Division of the Middle District of the State of Tennessee, before this Court, at the City of Washington, on Monday, October 25th, 1909, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted

per Mr. Chief Justice Fuller.

316. The United States, Appellant, vs. The American Tobacco Co., et al.

317. The American Tobacco Co., et al., Appellants, vs. The United States.

On consideration of the motion of Mr. William L. Royall for leave to file a brief herein as amicus curiae, It is now here ordered by the Court that the said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

362. Interstate Commerce Commission, Appellant, vs. The Delaware, Lackawanna & Western Railroad Co. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 21, 1910.

Per Mr. Chief Justice Fuller

465 David MacKenzie, Plaintiff in Error, vs. Grace MacKenzie In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and on motion to dismiss which was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

469. Frederick J. Lowrey et al., Trustees, &c., Appellants, vs. The Territory of Hawaii. On consideration of the motion to advance this cause, It is now here ordered by the Court

granted, and the cause assigned for argument on Monday, January 3, 1910, after the case heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Louisville & Nashville Railroad Company,
1496. vs. Plaintiff in Error,
Erasmus L. Motley et ux.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

Stuart Lindsley,
514. vs. Appellant,
Natural Carbonic Gas Co., et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby denied without prejudice.

per Mr. Chief Justice Fuller.

Laurence E. Sexton,
as Trustee, etc.,
536. vs. Appellant,
Keeler & Co. Limited, et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

560. The United States Fidelity & Guaranty Co., Appellant, vs. M. J. Bray et al. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

560. The United States Fidelity & Guaranty Co., Appellant, vs. M. J. Bray et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

570. The Interstate Commerce Commission, Appellant, vs. Northern Pacific Railway Co. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 21, 1910, after the case heretofore assigned for that day.

per Mr. Chief Justice Fuller.

603. David Muskrat et al., on their own behalf, etc., vs. Appellants, The United States. William Brown et al., on their own behalf, etc. vs. Appellants, The United States.

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

500. Samuel R. Colhoun. vs. Appellant. The United States.

On consideration of the suggestion of diminution of the record and motion for writ of certiorari in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted without prejudice.

per Mr. Chief Justice Fuller.

514. Frank A. Wackey et al., Petitioners, vs. Joseph Hammer et al.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circu-

the argument of counsel in support of the same. It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

587. The Cuba Railroad Co., vs. Walter E. Leverett. Petitioners, On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

605 John Flannelly and Mary Ellen Flannelly, vs The Delaware & Hudson Co. Petitioners On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as

now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

615. Northwestern Mutual Life Insurance Co., Petitioner, vs. J. William McCue, Samuel O. McCue, Harry M. McCue and Ruby G. McCue, infants, by Marshall Dimmadie, their next friend, et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

(Mr Justice Brewer took no part in the consideration of this petition.)

629. Fourth Street National Bank, Petitioner, vs. A. Merritt Taylor et al., Trustees, &c. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit

of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller

632. The Belt Railway Co., of Chicago vs. The United States. Petitioners, On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, granted.

per Mr. Chief Justice Fuller

474 Bettie Mayor nee A. T. Ball, Trustee vs. H. C. Williamson. Petitioners, On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the

that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

557. Hub Construction Co., Petitioners, vs. Nathaniel W. Hobbs, Trustee.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

558. The City of Newburyport, Petitioner, vs. Citizens Savings Bank.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered

the same is hereby, denied.

per Mr. Chief Justice Fuller.

William G. Huey and George Fargnhdr, now or late copartners, trading as W. G. Huey & Co., Petitioners, vs. Arthur K. Brown, Surviving Receiver of The American Alkali Co.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

596.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller

The Adelbert College of the Western Reserve University et al., Petitioners. vs. The Wabash Railroad Co., and Ellen L. Compton, Executrix of James Compton deceased.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

600

certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, &c it is now here ordered by the Court that said petition be, and the same is hereby, denied.

-per Mr. Chief Justice Fuller.

601. Cyrus F. Pierson, Louis J. D'Aubry et al., vs. The Wabash Railroad Co., and Ellen L. Compton, Executrix of James Compton, deceased. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, &c it is now here ordered by the Court that said petition be, and the same is hereby, denied.

-per Mr. Chief Justice Fuller.

608. John J. Boland and Charles Keenan, Petitioners vs. The Steam Vessel "Oceanica", her engines, etc., The Jonawanda Iron & Steel Company, Claimant. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

609 Dudley O. Watson and Thad B. Preston, co-partners, trading under the firm-name and style of Watson, Preston & Co. Petitioners, vs. Ernest A. Greenwood and Mathew F. Maury, co-partners, trading as Greenwood & Co. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of

Monday, October 18th, 1909, continued

Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The New York, New Haven & Hartford Railroad Co., Claimant of the Steam Tug "Transfer No. 9", etc., Petitioner, vs. The Steamship "Calderon" her engines, etc., Societé Anonyme de Navigation Royale Belge Sud-Americaine, Claimant.

616.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

617. Edward Cardwell, Petitioner, vs. The United States. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

-per Mr. Chief Justice Fuller.

618. E. E. Androvette, Petitioner, vs. The Steamship "Baralong," her engines, etc., Arthur Lee, Claimant. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

-per Mr. Chief Justice Fuller.

619 The American Trust Co., of Boston, Massachusetts, vs. W. & A. Fletcher Company, Petitioner. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

620 Alfred L. Sweeney, vs. Edward B. Smith, Francis E. Bond, George W. Norris et al. Petitioner. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

624. The Mutual Life Insurance Co., of New York, Petitioners, vs. Adolph C. Griesa, William E. Hazen and William A. Carruth, as Executors and Trustees under the last will and testament of Lucius Hiram Perkins, deceased, et al. — On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

625. The Hood Rubber Co., Petitioners, vs. The Atlantic Mutual Insurance Company. — On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

626. The Aetna Indemnity Co., Petitioner, vs. Farmers National Bank of Boyertown — On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

-per Mr. Chief Justice Fuller

627. The Delaware & Hudson Co., Petitioners, vs. The Albany & Susquehanna Railroad Co., et al. — On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

-per Mr. Chief Justice Fuller

8, Original. The United States of America, Complainant, vs. The People of the State of New York, &c.

On motion of Mr. Solicitor General Bowers, of counsel for the complainant, leave is hereby granted to file a stipulation extending the time of the defendants, The People of the State of New York, to plead herein.

8, Original. The United States of America, Complainant, vs. The People of the State of New York,

On motion of Mr. Solicitor General Bowers, of counsel for the complainant, It is ordered by the Court that the defendants, The People of the State of New York, be, and they are hereby, granted until the first Tuesday in November next to plead herein.

220. Komada & Company, Petitioner, vs. The United States.

On motion of Mr. Solicitor General Bowers, of counsel for the respondent,

It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, November 29th next.

643. The United States, Petitioners, vs. Authel H. Trumann et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Bowers in support of the same, and Mr. Charles A. Moore in opposition thereto.

397. Northern Pacific Railway Co., Plaintiff in Error, vs. Fred Wase et ux. Mr. Patrick B. Gorman, of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause.

630. John C. McClellan et al., Petitioners, vs. John E. Carland, District Judge, etc., The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Melvin Grigsby in support of the same.

136. Rand-McNally & Co., et al., Plaintiffs in Error, vs. The Commonwealth of Kentucky, by H. C. Turner, County Superintendent of Schools, &c. The motion to dismiss or affirm herein was submitted to the consideration of the Court

James C. Sims in support of the same, and Mr. Moore [illegible]

The Northern Pacific Railway Co.,
553 vs. Plaintiff in Error,
The State of North Dakota ex rel. T. F. McCue, Attorney General
Great Northern Railway Co.,
554 vs. Plaintiff in Error,
The State of North Dakota ex rel. T. F. McCue, Attorney General
Minneapolis, St. Paul & Sault Ste. Marie Railway Co.,
555 vs. Plaintiff in Error,
The State of North Dakota ex rel. T. F. McCue, Attorney General

Mr. Andrew Miller, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance these cases.

John A. Kuykendall, Administrator, &c.,
520 vs. Petitioner,
The Union Pacific Railroad Co

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. D. W. Wood in support of the same.

Thomas L. Nowell et al.,
644 vs. Petitioners,
J. C. McBride, Receiver, etc., et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. George M. Nowell

1446. Jacob Kerrech, et al., Petitioners. vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Conrad Reno and Mr. Lewis E. Cotter in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto within five days.

407. Yellow Poplar Lumber Co., Petitioner. vs. S. F. Chapman. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George S. Wright in support of the same, and Mr. J. F. Bullitt in opposition thereto.

602. The Chicago, Burlington & Quincy Railway Co., Petitioner. vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles J. Greene and Mr. R. W. Breckenridge in support of the same, and Mr. Solicitor General Bowers in opposition thereto.

339 The Baltimore & Ohio Railroad Co., vs. The Interstate Commerce Commission

The argument of this cause was continued by Mr. Assistant to the Attorney General Ellis, of counsel for the Interstate Commerce Commission, and concluded by Mr. Hugh L. Bond, Jr., of counsel for the Baltimore & Ohio Railroad Company.

289 The Baltimore & Ohio Railroad Co., et al., Plaintiffs in Error, vs. The United States ex rel. Pitcairn Coal Co., et al.

The argument of this cause was commenced by Mr. Edgar A. Gums, of counsel for the plaintiffs in error, and continued by Mr. William H. Glasgow, Jr., of counsel for the defendant in error.

Proclamation being made, the Court is ad-

Tuesday, October 19th, 1909.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

Ex parte: In the matter of The United States, Petitioner. No. Original.

On motion of Mr. Solicitor General Bowers, of counsel for the petitioner

It is ordered by the Court that leave be, and the same is hereby, granted to file a petition for a writ of prohibition herein. It is further ordered by the Court that all proceedings in the case of The United States of America, complainant, vs. Oberlin M. Carter et al., Gen. No. 25980, in equity, in the Circuit Court of the United States for the Northern District of Illinois, Eastern Division, be stayed until the further order of this Court

10 Original. Ex parte: In the matter of The United States, Petitioners. On consideration of the petition of The United States, It is now here ordered by the Court that cause be shown by the Honorable Christian C. Kohlsaat, Judge of the Circuit Court of the United States for the Northern District of Illinois, before this Court, at the City of Washington, on Monday, November 1st, 1909, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

per Mr. Chief Justice Fuller.

289. The Baltimore & Ohio Railroad Co., et al., Plaintiffs in Error, vs. The United States ex rel. Pitcairn Coal Co., et al. The argument of this cause was continued by Mr. William A. Glasgow, Jr., of counsel for the defendants in error, and concluded by Mr. Hugh L. Bond Jr., of counsel for the plaintiffs in error.

328. Elizabeth M. McGilvra et al., Appellants, vs. E. W. Ross as State Land Commissioner of the State of Washington, et al. The argument of this cause was commenced by Mr. Charles K. Jenner, of counsel for the appellants.

Wednesday, October 20th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles E. Bailey, it is ordered that Edward Teare Taubman, Esquire, of Aberdeen, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

228 Elizabeth M. McGilvra et al., Appellants, vs. E. W. Rose as State Land Commissioner of the State of Washington, et al.

The argument of this cause was continued by Mr. Charles K. Jenner, of counsel for the appellants and Mr. John W. Roberts and Mr. W. P. Bell,

Wednesday, October 20th, 1909, continued.

Mr. C. C. McGilvra, of counsel for the appellants.

351. The Macon Grocery Co., et al., Appellants, vs. Atlantic Coast Line Railroad Co., et al. The argument of this cause was commenced by Mr. William A. Wimbish, of counsel for the appellants, and continued by Mr. Henry L. Stone, of counsel for the appellees.

(Proclamation being made the Court is adjourned

Thursday, October 21st, 1909

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that William R. Brand, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank P. Flint, it is ordered that William Rhodes Harvey, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Albert J. Lee, Esquire, of Ardmore, State of Oklahoma, and Walter L. Furbershaw, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Carlisle, it is ordered that Robert Moeller, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

351. The Macon Grocery Co., et al., vs. Atlantic Coast Line Railroad Co., et al. Appellants. The argument of this cause was continued by Mr. Claudian B. Northrop, of counsel for the appellees, and concluded by Mr. William A. Wimbish, of counsel for the appellants.

352. J. E. Fleming et al., vs. Green McCurtain et al. Appellants. The argument of this cause was commenced by Mr. Frank Hagerman of counsel for the Appellants, and continued by Mr. Solicitor General Bowers, of counsel for the appellees.

Pursuant to adjournment, the court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr. C. Walter Artz, it is ordered that Clarence Munson Bushnell, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. John G. Carlisle, it is ordered that Antonio C. Gonzales, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

The Irrigation Land & Improvement Co., vs. Ethan Allen Hitchcock, Secretary of the Interior. Appellant. Appeal from the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the court by Mr. George H. Patrick, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

J. E. Fleming et al., vs. Green McCurtain et al. Appellants. The argument of this cause was continued by Mr. Solicitor General Bowers and Mr. Edward P. Hill, of counsel for the appellees and concluded by Mr. John G. Carlisle, of counsel for the appellants.

Pablo Yordi, vs. Eugene S. Nolte, United States Marshal &c. Appellant. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Waters Davis, of counsel for the appellant, and Mr.

for the appellee:

1. Georgia L. Everett, Plaintiff in Error,
vs.
Edward Everett.

This cause was argued by Mr. George Zabriskie of counsel for the defendant in error, and submitted on a printed argument by Mr. Frank H. Stewart, of counsel for the plaintiff in error.

2. Lathrop, Shea & Henwood Co., Plaintiff in Error,
vs.
Interior Construction & Improvement Co.

This cause was argued by Mr. Clarence M. Bushnell of counsel for the plaintiff in error, and Mr. C. Wallis Artz, of counsel for the defendant in error.

Proclamation being made the Court is adjourned

Monday, October 25th. 1909.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened

The Chief Justice said:

"It is with deep sorrow that I announce the passing of our eminent colleague and dear friend, Mr. Justice Peckham. He died at his summer home at Altamont only yesterday evening, at quarter past eight. The Court will transact no business, but will adjourn until next Monday.

Proclamation being made, the Court is adjourned

Monday, November 1st, 1909

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Evans Browne, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Glassie, it is ordered that James J. Britt, Esquire, of Asheville, State of North Carolina be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Harry E. King, it is ordered that Clayton W. Everett, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Edwin T. Rice, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. W. O'Donoghue, it is ordered that Francis X. Boden, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse C. Adkins, it is ordered that W. J. Pirtle, Esquire, of Council Grove, State of Kansas, and Charles Thomas Payne, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Hitz, it is ordered

State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

16. John F. Reavis, Appellant, vs. Jose Fianza et al. — Appeal from the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

24. Sarah L. Fall, Plaintiff in Error, vs. Elizabeth Easton — In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice McKenna,

Dissenting: Mr. Justice Harlan & Mr. Justice Brewer.

Rand, McNally & Co.,
John A. Brieban &
H. W. Overton,
136. vs. Plaintiffs in Error,
The Commonwealth of Kentucky,
by H. C. Turner, County Superintendent of Schools of Barren
County, Kentucky.

In Error to the Court of Appeals of the State of Kentucky

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

-per Mr. Chief Justice Fuller.

Northern Pacific Railway Co.,
397 vs. Plaintiff in Error,
Fred Wass and Pauline Wass,
his wife

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument with case No. 195, as one case.

-per Mr. Chief Justice Fuller.

467. Yellow Poplar Lumber Co., Petitioner
vs.
S. F. Chapman.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, & it is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

468. The Yellow Poplar Lumber Co., Petitioner,
vs.
S. F. Chapman.

It appearing to the Court that parts of the petition for a writ of certiorari and the brief in support of the same are impertinent and improper. It is now here ordered by the Court that they be stricken from the files of this Court.

per Mr. Chief Justice Fuller.

No. 353. The Northern Pacific Railway Co., Plaintiff in Error, vs. The State of North Dakota ex rel. T. F. McCue, Attorney General.

No. 354. Great Northern Railway Co., Plaintiff in Error, vs. The State of North Dakota ex rel. T. F. McCue, Attorney General.

No. 355. Minneapolis, St. Paul & Sault Ste. Marie Railway Co., Plaintiff in Error, vs. The State of North Dakota ex rel. T. F. McCue, Attorney General.

On consideration of the motion to advance these cases, it is now here ordered by the Court that said motion be, and the same is hereby, granted and the cases assigned for argument as one case on Monday, February 21, 1910, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

No. 612. Chicago, Burlington & Quincy Railway Co., Petitioner, vs. The United States.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered

the same is hereby granted

per Mr. Chief Justice Fuller.

Chicago, Burlington & Quincy Railway Co., Petitioner, vs. The United States. 12.

It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with case No. 277 as one case.

per Mr. Chief Justice Fuller.

John L. McClellan et al., Petitioners vs. John E. Carland, U. S. District Judge &c. 30.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be and the same is hereby granted

per Mr. Chief Justice Fuller.

John A. Ruykendall, Administrator of the estate of Charles Durkee, deceased,
vs. Petitioner,
The Union Pacific Railroad Co.

No. 20.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The United States,
vs Petitioner,
Authel N. Freeman and
The National Surety Co.

No. 643.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Thomas S. Howell, Willis E. Howell, Howell Mining & Milling Co., and Alaska Howell Gold Mining Co.,
1114. vs. Petitioners,
J. C. McBride, as Receiver of the Berners Bay Mining & Milling Co., and Henry Endicott.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

Jacob Kerrch, Hyman Abrams, Joseph Rittenberg, Morris Weis, and Harris Weis.
1116. vs. Petitioners,
The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is

now here ordered by the Court that said petition be, and the same is hereby, denied.

-per Mr. Chief Justice Fuller.

4, Original. The United States of America, Complainant. vs. Joseph F. Shipp et al. On consideration of the motions on behalf of the defendants Shipp, Gibson, Williams, Nolan, Padgett and Mayes for leave to file petitions for rehearing herein, It is now here ordered by the Court that said motions be, and the same are hereby, severally denied. It is further ordered that the said above-named defendants be, and they are hereby, ruled to appear before this Court for judgment on Monday, the 15th instant.

-per Mr. Chief Justice Fuller.

8, Original. The United States of America, Complainant. vs. The People of the State of New York, On motion of Mr. Solicitor General Bowers, of counsel for the complainant, leave is hereby granted to file a stipulation herein extending the time of the defendants, The People of the State of New York, to plead herein

The United States of America, Complainant.
Original vs.
The People of the State of New York.

On motion of Mr. Solicitor General Bowers, of counsel for the complainant, It is ordered by the court that the defendants, The People of the State of New York, be, and they are hereby, granted until the first Tuesday in December next to plead herein.

Ex parte: In the matter of The United States, Petitioner.
Original

On motion of Mr. Solicitor General Bowers, of counsel for the petitioner, It is ordered by the court that the time in which to make return to the rule to show cause, issued herein, be, and the same is hereby, extended to the 15th instant.

The United States, Appellant,
vs.
Oberlin M. Carter et al.
Oberlin M. Carter et al., Appellants,
vs.
The United States.

Mr. Solicitor General Bowers, of counsel for The United States, submitted to the consideration of the court a motion to advance these cases.

Irrigation Land & Improvement Co., Appellant, vs. Ethan Allen Hitchcock, Secretary of the Interior. 17. On motion of Mr. George H. Patrick, of counsel for the appellant, leave is hereby granted the clerk to issue the mandate in this cause.

California Development Co., Petitioner, vs. The New Liverpool Salt Co. 656. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Maxwell Evarts and Mr. Eugene S. Ives in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto hereafter.

Peter T. Coffield et al., Petitioners, vs. The Fletcher Manufacturing Co. 634. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Richard J. McCarty in support of the same, and Mr. Edmund E. Wood in opposition thereto.

Roswell E. Messinger, Petitioner, vs. Peter Anderson. 648. The petition for a writ of certiorari herein was submitted to the consider-

Mr. Harry E. Kieg and Mr. Oliver D. Snyder in support of the same, and Mr. Rhea P. Lucy in opposition thereto.

Levi M. Strong.
#01. vs. Plaintiff in Error,
Adam Gaskert.

The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. C. Keegin in support of the same, and Mr. M. S. Glenn in opposition thereto.

Frederick J. Lowrey et al.,
Trustees, &c.,
#69. vs. Appellants,
The Territory of Hawaii.

On motion of Mr. A. B. Browne, in behalf of counsel It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, December 6th next.

The Tunis Lumber Co. et al.,
#42. vs. Petitioners,
Cumberland Lumber Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Robert M. Hughes on & in support of the same.

635. Guaranty Trust Co., of New York, vs. Petitioner. Metropolitan Street Railway Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Julien T. Davies, Mr. Brainard Tolles and Mr. John C. Spooner in support of the same, and Mr. Arthur H. Masten, Mr. James Byrnes, Mr. Frank A. Platt, Mr. W. C. Fleming, Mr. William M. Coleman and Mr. William M. Chadbourne in opposition thereto.

636. Morton Trust Company, vs. Petitioner, Guaranty Trust Co., of New York et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles T. Payne and Mr. Bronson Winthrop in support of the same, and Mr. Arthur H. Masten, Mr. James Byrnes, Mr. Frank A. Platt, Mr. W. C. Fleming, Mr. William M. Coleman and Mr. William M. Chadbourne in opposition thereto.

654. Metropolitan Securities Co., vs. Petitioner, William W. Ladd, as Receiver &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments

same, and Mr. Joseph H. Choate, Mr. Arthur H. Masten and Mr. Robert L. Beatty in opposition thereto.

190. Morris F. Pfaelzer. Plaintiff in Error, vs. Back Fur Co., of Illinois. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. S. Gilbert, of counsel for the plaintiff in error, and Mr. Benjamin N. Cardozo, of counsel for the defendant in error.

23. International Text Book Co., Appellant, vs. The City of Ottumwa. Appeal from the Circuit Court of the United States for the Southern District of Iowa.

It appearing to the court that a motion by counsel for the appellant to dismiss this appeal has been filed. Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Fairmont Coal Co., Clarksburg Fuel Co., Southern Coal and Transportation Co., et al., Appellants, vs. Merchants Coal Company. — Appeal from the United States Circuit Court of Appeals for the Fourth Circuit.

83

It appearing to the Court that a motion by counsel for the appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Washington Gas Light Co., and Ashley M. Gould, Associate Justice of the Supreme Court of the District of Columbia, Appellants vs. Henry B. F. Macfarland, Henry L. West and Jay J. Morrow, Commissioners of the District of Columbia, Plaintiffs in Error. — Appeal from and in error to the Court of Appeals of the District of Columbia.

84.

It appearing to the Court that a motion by counsel for the appellants and plaintiffs in error to dismiss this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal and the writ of error in this

with costs.

per Mr. Chief Justice Fuller.

Mary Halligan as Administratrix of the goods, chattels and credits of John Halligan, deceased, Appellant, vs. The Trinidad Shipping and Trading Co., Limited, et al. — Appeal from the District Court of the United States for the Southern District of New York.

No. 314.

It appearing to the court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed. Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller.

R. G. Mullen, Appellant, vs. Fred Fornoff, Captain of the New Mexico Mounted Police — Appeal from the District Court of the 1st Judicial District of the Territory of New Mexico.

No. 302.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed. Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be,

cost

per Mr. Chief Justice Fuller.

512. R. G. Mullen. Appellant. vs. Fred Fornoff, Captain of the New Mexico Mounted Police.

It is ordered by the court that leave be, and the same is hereby, granted the clerk to issue the mandate in this cause.

Mathilde von Ellert Sistare, Plaintiff in Error, vs. Horace Randall Sistare

Mr. William J. Brennan, of counsel for the defendant in error, suggested the death of Horace Randall Sistare, the defendant in error in this cause, and moved the court to make Julia L. Sistare, executrix of the will of Horace Randall Sistare, the party defendant in error in this cause. Whereupon, it is now here ordered by the court that the said Julia L. Sistare, executrix of the will of Horace Randall Sistare, deceased, &c. and she is hereby, made the party defendant in error in this cause.

Mathilde von Ellert Sistare, Plaintiff in Error, vs. Julia L. Sistare, Executrix, &c.

The argument of this cause was commenced by Mr. Robert Goeller, of counsel for the plaintiff in error; con-

for the defendant in error, and concluded by Mr. Benjamin Shadel, of counsel for the plaintiff in error.

Rumford Chemical Works vs. Petitioner. Hygienic Chemical Co. Hygienic Chemical Co., of New York et al., vs. Petitioners. Rumford Chemical Works.	These cases were argued by Mr. Philip Mauro, of counsel for the Rumford Chemical Works, and Mr. Edwin T. Rice, of counsel for the Hygienic Chemical Company of New York et al.
The State of Louisiana ex rel. Louis A. Hubert, Receiver, vs. Plaintiff in Error. The Mayor and Council of the City of New Orleans.	The argument of this cause was commenced by Mr. Charles Louque, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
David J. Brewer,
Edward D. White Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that C. Bowdoin Craighill, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

11. The State of Louisiana ex rel. Louis A. Hubert, Receiver, vs. Plaintiff in Error. The Mayor and Council of the City of New Orleans.

Mr. Charles Louque of counsel for the the plaintiff in error, suggested a diminution of the record in this cause and moved the Court for a writ of certio-

by the Court that said motion be and the same is hereby granted, the certified copies of the opinion and judgment of the Civil District Court for the Parish of Orleans presented with the suggestion and motion to stand as a return to the writ.

11. The State of Louisiana ex rel. Louis A. Hubert, Receiver vs. Plaintiff in Error; The Mayor and Council of the City of New Orleans.

The argument of this cause was continued by Mr. Frank B. Thomas, of counsel for the defendants in error, and concluded by Mr. J. D. Rouse, of counsel for the plaintiff in error, and leave was granted counsel for the defendants in error to file an additional brief herein within five days.

18. Virginia-Carolina Chemical Co. vs. Plaintiff in Error; J. P. Kiroen.

The argument of this cause was commenced by Mr. P. A. Willcox, of counsel for the plaintiff in error, continued by Mr. Charles A. Douglas, of counsel for the defendant in error, and concluded by Mr. Frederic D. McKenney, of counsel for the plaintiff in error, and leave was granted counsel for the plaintiff in error to file an additional brief herein on or before the 8th instant.

Tuesday, November 2d, 1909 continued

Union Pacific Railroad Co., Plaintiff in Error
vs.
Morris Harris et al

This cause was argued by Mr. Maxwell Evarts, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. T. F. Garver, of counsel for the defendants in error.

No. 1, Original
The State of Maryland, Complainant.
vs.
The State of West Virginia

On motion of Mr. Isaac Lobe Straus, of counsel for the complainant, It is ordered by the court that one hour additional time be allowed each side for the argument of this cause.

No. 1, Original
The State of Maryland, Complainant,
vs.
The State of West Virginia

The argument of this cause was commenced by Mr. Edward C. Sweet, of counsel for the complainant.

Proclamation being made, the court is adjourned

Wednesday November 3d. 1909.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Isaac Lobe Straus, it is ordered that William L. Rawls, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Johnston, it is ordered that John L. Seawell, Esquire, of Payette, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1, Original. The State of Maryland, complainant. vs. The State of West Virginia. The argument of this cause was continued by Mr Edward K. Duncell, of counsel for the complainant, and Mr. George E. Price, of counsel for the defendant.

Proclamation being made, the court is adjourned

Thursday, November 4th, 1909.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Armwell L. Cooper, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James F. Tufts, it is ordered that Carroll Strickland Bucher, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1, Original. The State of Maryland, Complainant, vs. The State of West Virginia. The argument of this cause was concluded by Mr. Isaac Lobe Straus, of counsel for the complainant.

40 Clara E. Sylvester et al., Plaintiffs in Error, vs. The State of Washington. The argument of this cause was commenced by Mr. George Marvin Savage, of counsel for the plaintiffs in error, and continued by Mr. W. P. Bell, of counsel for the defendant in error.

Proclamation being made, the Court is ad-

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James J. Barbour, it is ordered that Charles Burke Stafford, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

30 Arturo M. Elias, Appellant,
vs.
Eduardo Ramirez

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. C. Baker, of counsel for the appellant, and Mr. William Herring, of counsel for the appellee.

Clara E. Sylvester et al.,
vs. Plaintiffs in Error,
No. The State of Washington. The argument of this cause was continued by Mr. W. P. Bell, of counsel for the defendant in error, and concluded by Mr. George Marvin Savage, of counsel for the plaintiffs in error.

Matthew Scully,
21. vs. Plaintiff in Error.
Louise Squier et al. This cause was argued by Mr. H. Winship Wheatley, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. James A. Forney, of counsel for the defendants in error.

Isaac A. Caliga,
22. vs. Plaintiff in Error.
Inter Ocean Newspaper Co. This cause was argued by Mr. Otto R. Barnett, of counsel for the plaintiff in error, and Mr. James J. Barbour, of counsel for the defendant in error.

Albert Marble,
23. vs. Appellant,
E. P. Creecy, Chief of Police, &c., et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. George D. Reynolds, of counsel for the appellant. No counsel ap-

Friday. November 5th. 1909. continued.

359. Great Northern Railway Co. vs. The State of Minnesota — Plaintiff in Error. The argument of this cause was commenced by Mr. William R. Begg, of counsel for the plaintiff in error.

Proclamation being made, the court is ad-

Monday, November 8th, 1909.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that Jesse A. Fenner, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. E. L. Leckie, it is ordered that J. Claude Bedford, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Clement L. Bouvé, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Thompson, it is ordered that John Stansbury, Esquire, of Joliet and Charles Troup, Esquire, of Danville, State of Illinois, and Lincoln D. Smick, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. S. Barnard, it is ordered that Julius C. Martin and F. A. Londley, Esquires, of Asheville, State of North Carolina, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Victor H. Wallace, it is ordered that Jason Waterman, Esquire, of Bay City, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Mrs. Frances E. Waterman, wife of Charles A. Crane,
306. vs. Appellant,
The Canal-Louisiana Bank & Trust Co., Executor of the last will and testament of Caroline Stannard Tilton, deceased, et al.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in accordance with the opinion of this Court.

per Mr. Justice Day.

Dissenting:
Mr. Justice White.

The United States,
120. vs. Plaintiff in Error,
The Union Supply Co.

In Error to the District Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript

United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this that the judgment of the said District Court in cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Holmes.

253. J. E. Fleming et al., Appellants, vs. Green McCurtain, Douglas H. Johnston, George Mansfield et al. Appeal from the Circuit Court of the United States for the Eastern District of Oklahoma.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

278. The United States, vs. Simon J. Mitchell. Plaintiff in Error, } In Error to the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings.

per Mr. Justice Brewer.

351. The United States, vs. Oberlin M. Carter et al. Appellant.

352. Oberlin M. Carter et al., vs. The United States, Appellants,

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument, as one case, on Monday, January 10, 1910.

per Mr. Chief Justice Fuller.

Roswell E. Messinger. vs. Peter Anderson. 6148. Petitioner, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Peter T. Coffield and James L. Coffield, trading as P. T. Coffield & Son, vs. The Fletcher Manufacturing Co. 6314 Petitioners On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby denied.

per Mr. Chief Justice Fuller.

642. The Tunis Lumber Co. and Theophilus Tunis and Alvah H. Martin, Receivers, Petitioners, vs. Cumberland Lumber Co. — On petition for writ of certiorari to the United States circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

290. Morris F. Pfaelzer, Plaintiff in Error, vs. Bach Fur Co., of Illinois — In Error to the circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of a final judgment.

per Mr. Chief Justice Fuller.

401. Levi M. Strong vs. Adam Gasert. Plaintiff in Error. In Error to the Supreme Court of the State of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller

The Chief Justice announced that the Court will take a recess from Monday, the 15th, to Monday, the 29th instant.

54. James Rudolph Garfield, Secretary of the Interior vs. The United States ex rel. Belle Frost. Plaintiff in Error. On motion of Mr. Solicitor General Bowers, of counsel for the plaintiff in error

It is ordered by the Court that Richard A. Ballinger, as Secretary of the Interior, be, and he is hereby, substituted for James Rudolph Garfield as party plaintiff in error in this cause.

580. North Carolina Mining Co., Appellant, vs. G. R. Westfeldt et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Alfred S. Barnard, Mr. Julius C. Martin, and Mr. F. A. Sondley in support of the same, and Mr. Charles A. Moore, Mr. Joseph J. Hooker, Mr. James H. Merrimon and Mr. Hannis Taylor in opposition thereto —

581. Illinois Central Railroad Co., of the State of Illinois, Plaintiff in Error, vs. Robert W. Shelby, Administrator, &c. The motion to add to the record herein the proceedings in the Circuit Court of the United States for the Western District of Kentucky was submitted to the consideration of the Court on printed arguments by Mr. Blewett Lee, Mr. Edmund F. Trabue, Mr. John C. Doolan, and Mr. Attila Cox, Jr., in support of the same, and Mr. R. A. Miller in opposition thereto.

582. Jerome B. Rennick & Co., Plaintiffs in Error, vs. Joseph W. Clark et al. On motion of Mr. Jackson H. Ralston in behalf of counsel, It is ordered by the Court that this cause be, and the same

352. Jerome H. Remick & Co., Plaintiff in Error, vs. Joseph W. Klein et al. — This cause was submitted to the consideration of the court on the record and printed arguments by Mr. Moses H. Grossman, of counsel for the plaintiff in error, and Mr. Julius Henry Cohen, of counsel for the defendants in error.

7, Original. The State of North Carolina, Complainant, vs. The State of Tennessee. — On motion of Mr. F. A. Sondley of counsel for the complainant leave is hereby granted to file replication to the answer, and answer to the cross-bill herein.

665. Dering Coal Company, Petitioner, vs. H. Ernest Hutton, Administrator, &c. — The petition for a writ of certiorari herein was submitted to the consideration of the court by Mr. Charles Troup in support of the same, and on motion of Mr. Lincoln B. Smith leave is hereby granted counsel for the respondent to file a brief in opposition thereto hereafter.

418. Captain John S. Martin et al., Plaintiffs in Error, vs. A. J. Veet. — The motion to dismiss or affirm in this cause was submitted to

and printed arguments by Mr. W. C. Kugin in support of the same, and Mr. A. B. Browne, Mr. Alexander Britton and Mr. Evans Browne in opposition thereto.

431. Sarah J. Eddy, vs. Petitioner The City and County of San Francisco. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Julius Kahn in support of the same, and Mr. A. B. Browne in opposition thereto.

607. N. C. Cook Co., vs. Plaintiff in Error. Frank A. Bucher et al. On motion of Mr. Walter F. Rogers, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, advanced pursuant to the 32d rule.

607. Guaranty Trust Co. of New York vs. Appellant. Metropolitan Street Railway Co., et al. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. W. M. Chadbourne, Mr. Arthur H. Masten, Mr. W. M. Coleman, Mr. Matthew C. Fleming, Mr. James Bunn and Mr. Frank A. Scott in support of

and Tolles and Mr. John G. Sprooner in opposition thereto, and leave was granted counsel for the appellees to file a brief in reply within five days.

6, Original. The People of the State of New York, Complainant. vs. The State of New Jersey et al.

On motion of Mr. Maurice B. Dean, of counsel for the complainant, leave is hereby granted to file a replication hereon.

34 Montezuma Canal Co., Appellant, vs. Smithville Canal Co et al.

This case was submitted to the consideration of the Court on the record and printed arguments by Mr. John J. Hawkins, of counsel for the appellant, and Mr. Walter Bennett, of counsel for the appellees.

359 Great Northern Railway Co., Plaintiff in Error, vs. The State of Minnesota

The argument of this cause was continued by Mr. William R. Begg, of counsel for the plaintiff in error, and Mr. George W. Peterson and Mr. George T. Simpson, of counsel for the defendant in error, and concluded by Mr. William R. Begg, of counsel for the plaintiff in error.

372 Chicago Great Western Railway Co., Plaintiff in Error, vs. The State of Minnesota. This cause was argued by Mr. George W. Peterson, of counsel for the defendant in error, and submitted on a printed argument by Mr. Frank B. Kellogg, Mr. C. A. Severance and Mr. A. G. Briggs, of counsel for the plaintiff in error.

373 Robert N. Snyder, Jr., et al., Executors, &c., et al., Plaintiffs in Error, vs. J. Rosenbaum. The argument of this cause was commenced by Mr. Gardiner Lathrop, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned

Tuesday, November 9th 1909

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. J. Wrighteman, it is ordered that Carl Meyer, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. K. Offield, it is ordered that James R. Offield, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

25.	Robert N. Snyder, Jr., et al., Executors, &c., et al., vs Plaintiffs in Error, J. Rosenbaum.	The argument of this cause was continued by Mr. Gardiner Lathrop, of counsel for the plaintiffs in error; Mr. C. J. Wrightsman and Mr. T. J. Darlington, of counsel for the defendant in error, and concluded by Mr. Armwell L. Cooper, of counsel for the plaintiffs in error.
26	Old Nick Williams Co., vs. Petitioner, The United States.	The argument of this cause was commenced by Mr. Charles A. Moore, of counsel for the petitioner.

Proclamation being made the Court is adjourned

Wednesday, November 10th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

26. Old Nick Williams Co., Petitioner, vs. The United States. The argument of this cause was continued by Mr. Charles A. Moore, of counsel for the petitioner, and Mr. Assistant Attorney General Fowler, of counsel for the respondent, and concluded by Mr. Charles A. Moore, of counsel for the petitioner.

27. Demetrius M. Stewart et al., Petitioners, vs. American Lava Co., et al.

28. Moritz Kirchberger et al., Petitioners, vs. American Lava Co., et al.

The argument of these cases was commenced by Mr. Louis C. Raguet, of counsel for the petitioners, and continued by Mr. Charles Neave

Thursday, November 11th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Morgan M. Mann, it is ordered that Robert E. Prince and Richard Mays, Esquires, of Corsicana, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

31. William J. Corbett, Plaintiff in Error.
vs
Michael Craven.

Mr. C. T. Callahan, of counsel for the plaintiff in error, suggested the death of William J. Corbett, the plaintiff in error in this cause, and moved the Court to make Thomas J. Kenney and John R. McVey, special administrators of the estate of the said

error in this cause. Whereupon, it is now here ordered by the court that the said Thomas J. Kenny and John R. McVey, special administrathe of the estate of William J. Corbett, deceased, be, and they are hereby, made the parties plaintiffs in error in this cause.

44. Oswald K. Ludwig, as Secretary of State of the State of Arkansas vs. The Chicago, Rock Island & Pacific Railway Co. Appellant. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

It appearing to the court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed. Therefore in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this court that this appeal be, and the same is hereby, dismissed per Mr. Chief Justice Fuller.

27. Demetrius M. Stewart et al., Petitioners, vs. American Lava Co. et al

28 Moritz Kirchberger et al., Petitioners vs. American Lava Co., et al

The argument of these cases was continued by Mr. Charles Neave, of counsel for the respondents, and concluded by Mr. Louis K. Rasener, of counsel for the petitioners

Solomon R. Wagg,
vs. Appellant,
Mary B. Herbert et al.

This cause was argued by Mr. A. J. Biddison, of counsel for the appellant, and submitted on a printed argument by Mr. Watson E. Coleman, of counsel for the appellees.

Proclamation being made, the Court is adjourned

Friday, November 12th, 1909.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes,
William R. Day,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Caleb M. Sawyer, Esquire, of Anaconda, State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Thomas J. Kinney, et al., Special Administrators, &c., Plaintiffs in Error,
31. vs.
Michael Cravens.

This cause was argued by Mr. C. T. Callahan, of counsel for the plaintiffs in error, and Mr. Charles A. Gardner, of counsel for the defendant in error.

32. Samuel Barker, Jr., vs. Plaintiff in Error, The Butte Consolidated Mining Co. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Lewis O. Evans, of counsel for the plaintiff in error, and Mr. John J. McHatton, of counsel for the defendant in error.

35. John F. Haffner, vs. Appellant. Michael Dobrinski et al This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Watson E. Coleman, Mr. S. L. A. Alward and Mr. D. W. Buckner, of counsel for the appellant, and Mr. C. C. Flansburg, of counsel for the appellees.

36. Mrs. Emma A. Mills and her husband, Harry Mills, vs. Plaintiffs in Error. Mrs. M. E. V. Johnson and her husband. This cause was argued by Mr. Frederic D. McKenney, of counsel for the plaintiffs in error, and Mr. Richard Mayo and Mr. Robert E. Prince, of counsel for the defendants in error, and leave was granted counsel to file additional briefs herein within two weeks.

37. Marcelo Tigcao
vs. Plaintiff in Error & Appellant,
The Insular Government of the
Philippine Islands et al.

It is ordered by the court that this cause be and the same is hereby passed temporarily

38 The Missouri Pacific Railway Co.,
vs. Plaintiff in Error.
The State of Kansas ex rel. Carl
W. Taylor, Attorney, etc., et al

It is ordered by the court that this cause be, and the same is hereby, passed temporarily

Proclamation being made, the court is adjourned

Monday, November 15th, 1909.

Pursuant to adjournment, the Court met to-day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that J. Castle Ridgway and W. H. Smith, Esquires, of Hilo, Territory of Hawaii, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur M. Churchill, it is ordered that E. Carroll Schaeffer, Esquire, of Reading, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. A. Yourick, it is ordered that Evan B. Lewis, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Royall Victor, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Pollock, it is ordered that Wilbur L. Cummings, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Keegin, it is ordered that William T. Beck, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he

On motion first made to the court in this behalf by Mr. Joseph R. Edson, it is ordered that William R. Rummler, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States of America. Complainant.
4, Original vs.
Joseph F. Shipp et al.

Mr. Solicitor General Bowers, of counsel for the complainant, moved the court that judgment be passed upon the defendants, Joseph F. Shipp, Jeremiah Gibson, Luther Williams, Nick Nolan, Henry Padgett and William Mayse, and the Chief Justice directed the clerk to call the said defendants to the bar of the court, and the above-named defendants then appeared at the bar of the court, and the Chief Justice announced the judgment of the court as follows:-

"You, Joseph F. Shipp, Jeremiah Gibson, Luther Williams, Nick Nolan, Henry Padgett and William Mayse, are before this court on an attachment for contempt.

"On return to a rule to show cause you have presented such evidence as you were advised and been fully heard orally and on printed briefs, and after thorough consideration you have been found guilty. You have also been permitted severally to present petitions for a

file them, which after consideration have been denied.

"The grounds upon which the conclusion was reached are set forth in the opinion filed herein on Monday, May 24, 1909, and need not be repeated, nor need we dwell upon the destructive consequences of permitting the transaction complained of to pass into a precedent for unpunished contempt.

"It is considered by the Court, and the judgment of the Court is, that as punishment for the contempt you, Joseph F. Shipp, Luther Williams and Nick Nolan, and each of you, be imprisoned for the period of ninety days, and that you, Jeremiah Gibson, Henry Padgett and William Mayes, and each of you, be imprisoned for the period of sixty days, in the jail of the District of Columbia. The marshal of this Court is charged with the execution of this judgment."

per Mr. Chief Justice Fuller.

El Paso & Northeastern Railway Co., Plaintiff in Error, vs. Eudenia Gutierrez, Administratrix of the estate of Antonio Gutierrez, deceased

In Error to the Supreme Court of the State of Texas.

No. 205.

This cause came on to be heard on the transcript

State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

Clara E. Sylvester and May L. Sylvester, Plaintiffs in Error, vs. The State of Washington. — In Error to the Supreme Court of the State of Washington.

40.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes

Elizabeth M. McGilvra, Lilian Louisa McGilvra, Oliver L. McGilvra et al., Appellants, vs. E. W. Rose, as State Land Commissioner of the State of Washington, et al. — Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

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script of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed at the cost of the appellants; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Washington with directions to set aside the decree on the merits and to sustain the demurrer for want of jurisdiction, and on that ground to dismiss the suits.

Per Mr. Justice McKenna.

(Mr. Justice Holmes concurs in the result.)

23. Albert Marbles, Appellant, vs. Edmund P. Creecy, Chief of Police of the City of St. Louis, and Caspar J. Wolff, City Jailer of said City. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and

said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan

352. Samuel Barker, Jr., Plaintiff in Error, vs. Butte Consolidated Mining Co. In Error to the Supreme Court of the State of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

352. Jerome A. Remick & Co., Plaintiff in Error, vs. Joseph W. Stern and Edward B. Marks. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of a final judgment.

North Carolina Mining Co., Appellant,
vs.
G. K. Westfeldt et al.

Appeal from the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

607. Guaranty Trust Co. of New York,
vs. Appellant,
Metropolitan Street Railway Co. et al.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

635. Guaranty Trust Co., of New York, Petitioner, vs. Metropolitan Street Railway Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

636. Morton Trust Co., Petitioner, vs. Guaranty Trust Co., of New York et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

654. Metropolitan Securities Co., Petitioner vs. William W. Ladd, as Receiver of the New York City Railway Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit: and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

656. The California Development Company, Petitioner, vs. The New Liverpool Salt Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

634. Sarah J. Eddy, Petitioner, vs. The City and County of San Francisco. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

665. Deering Coal Co., Petitioner, vs. A. Ernest Hutton, Administrator of the estate of John Topacz, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

Captain John J. Martin et al.,
415. vs. Plaintiffs in Error,
A. J. West.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

Illinois Central Railroad Co., of the State of Illinois,
41. vs. Plaintiff in Error,
Robert W. Shugog, Administrator, &c.

On consideration of the motion to add to the record herein the proceedings in the Circuit Court of the United States for the Western District of Kentucky, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Silas Pickett,
270. vs. Plaintiff in Error,
The United States.

Mr. Solicitor General Bowers, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause

449. John Wynne. vs. The United States. Plaintiff in Error. Mr. Solicitor General Bowers, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

10 Original. Ex parte: In the matter of The United States. Petitioner. On motion of Mr. Solicitor General Bowers, of counsel for the petitioner,

It is ordered by the Court that the hearing on the return to the rule to show cause heretofore issued herein be, and the same is hereby, fixed for Monday, January 10, 1910, in connection with cases Nos. 551 and 552, assigned for that day.

10 Original. Ex parte: In the matter of The United States. Petitioner. Mr. John B. Daish, of counsel, submitted to the consideration of the Court a motion for leave to file answers of Oberlin M. Carter and John B. Daish and a suggestion that the petition herein has been prematurely filed.

662. Commercial Mica Co., vs. Mica Insulator Co. Petitioner. The petition for a writ of certiorari herein was submit-

eration of the Court on printed arguments by Mr. Joseph R. Edson and Mr. William R. Rummler in support of the same, and Mr. William H. Kenyon in opposition thereto.

670. Charles W. Morse, Petitioner, vs The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Martin W. Littleton in support of the same, and leave was granted Mr. Solicitor General Bowers to file a brief in opposition thereto within ten days.

671. Liverpool and London and Globe Insurance Co., Petitioner, vs George H. McFadden et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick B. Campbell in support of the same, and Mr. John G. Johnson in opposition thereto.

481. Helvetia Swiss Fire Insurance Co., Plaintiff in Error, vs Max J. Brautenstein et al. The motion to dismiss was submitted to the consideration of the Court on the record and printed arguments by Mr. Royall Victor and Mr. William V. Rowe in support of the same, and Mr.

Proclamation being made, the Court adjourned until Monday, November 22nd next, at twelve o'clock.

Monday, November 29th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers it is ordered that Asa L. Duncan, Esquire, of Missoula, State of Montana, and Martin B. Koon, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. V. Brookshire, it is ordered that Ralph W. Crockett, Esquire, of Lewiston, State of Maine, be admitted to practice as attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Harr, it is ordered that Arthur J. McCabe, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse A. Fenner, it is ordered that William Howell, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Wickham Smith, it is ordered that Francis Fitch, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William B. Hornblower, it is ordered that Lewis L. Delafield, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry Peyton, it is ordered that

State of Florida, and William R. Vance, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that James B. Horigan, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington, it is ordered that Frank Stetson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton D. Purdy, it is ordered that John A. Kratz, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

292. The United States, Plaintiff in Error, vs. Tilden B. Stevenson and Amede Bellaire, alias Joseph Bellaire. In Error to the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Day.

293. The United States, vs. Plaintiff in Error, Tilden B Stevenson and Amede Bellaire alias Joseph Bellaire. In Error to the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof It is now here ordered and adjudged

District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Day.

22. Isaac H. Caliga, Plaintiff in Error, vs Inter Ocean Newspaper Co. — In Error to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Illinois

per Mr. Justice Day.

11. The State of Louisiana ex rel. Louis A. Hubert, Receiver, Plaintiff in Error, vs The Mayor and Council of the City of New Orleans. — In Error to the Supreme Court of the State of Louisiana

of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court

per Mr. Justice Day

9. Rumford Chemical Works. vs. Hygienic Chemical Co. Petitioner. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of New Jersey.

per Mr. Justice Holmes

	Hygienic Chemical Co. of New York, James E. Keller and Adolph Hirsh,	On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.
121.	vs. Petitioners,	
	Rumford Chemical Works.	

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that the decree of the Circuit Court of the United States for the Southern District of New York be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court.

Per Mr. Justice Holmes.

	Demetrius M. Steward, Moritz Kirchberger et al.,	On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.
27.	Petitioners	
	American Lava Co., and Paul J. Kruesi.	

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued

here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Tennessee.

per Mr. Justice Holmes

Dissenting:
Mr. Justice McKenna.

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Moritz Kiechberger, Benno von Schwartz et al., Petitioners, vs. American Lava Co., et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Tennessee

per Mr. Justice Holmes.

Dissenting:
Mr. Justice McKenna.

21. Mathew Scully, Plaintiff in Error, vs. Louie Sgnier, John M. Fix and John L. Maxey. In Error to the Supreme Court of the State of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

243. E. W. Simmons, Late Master of the Tug "Helen" et al., Appellants vs. The Steamship "Jefferson" the Old Dominion Steamship Co., Claimant and Owner. Appeal from the District Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the

conformity with the opinion of this Court.
per Mr. Justice White.

12. The Hanover National Bank of the City of New York, Plaintiff in Error, vs. William F. Kuddath, as Receiver of the American National Bank of Abilene. In Error to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause, be and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.
per Mr. Justice White.

13. The Hanover National Bank of the City of New York, Appellant, vs. William F. Kuddath, as Receiver of the American National Bank of Abilene. Appeal from the United States Circuit Court of Appeals for the Second Circuit.

script of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice White.

Thomas J. Kenney and John R. McVey, Special Administrators of the estate of William J. Corbett, deceased, Plaintiffs in Error; vs Michael Craven

In Error to the Superior Court of the State of Massachusetts

31.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

	The Interstate Commerce Commission,	Appeal from the Circuit Court of the United States for the District of Minnesota.
251.	vs. Appellant.	
	Alpheus B. Stickney and Charles A. F. Smith, Receivers of the Chicago Great Western Railway Co., et al	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

	Georgia L. Everett,	In Error to the Supreme Court of the State of New York.
1.	vs. Plaintiff in Error,	
	Edward Everett.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Harlan.

Helvetia Swiss Fire Insurance Co., Plaintiff in Error, vs. Max J. Brandenstein and Edward Brandenstein, Manfred Brandenstein, Copartners, doing business under the firm name of M. J. Brandenstein & Co.

481. In Error to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The United States, Petitioner.

10 Original. It is ordered by the Court that the further consideration of the motions for leave to file answers of Oberlin M Carter and John B. Daish, respectively, and the suggestion that the petition herein was prematurely filed, be, and the same is hereby, postponed to the hearing on the return to the rule to show cause, January 10, 1910.

per Mr. Chief Justice Fuller.

270 Silas Pickett, vs. The United States. Plaintiff in Error. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 3, 1910, after the case heretofore assigned for that day.

per Mr. Chief Justice Fuller

449 John Wynne, vs. The United States. Plaintiff in Error. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 17, 1910.

per Mr. Chief Justice Fuller

662 Commercial Mica Co., vs. Mica Insulator Co. Petitioner, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had,

is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

671. Liverpool and London and Globe Insurance Co., vs. George H. McFadden, J. Franklin McFadden, John H. McFadden, Philip McFadden, George McFadden and William P. Jenks, copartners, trading as George H. McFadden & Brother. Petitioners, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

219. Alphonse Dufaur and Eva Dufaur, vs. The United States. Appellants, Appeal from the District Court of the United States for the Northern District of Illinois

This cause having been called to the attention

of counsel for the appellee, and a stipulation of counsel for the respective parties to dismiss this appeal having been filed. Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

594. The Interstate Commerce Commission, et al., Appellants, vs. The Delaware, Lackawanna & Western Railroad Co., et al. Mr. Solicitor General Bowers, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

663. The Interstate Commerce Commission, Appellant, vs. The Chicago, Rock Island & Pacific Railway Co., et al.

664. Burnham, Hanna, Munger Dry Goods Co., et al., Appellants, vs. The Chicago, Rock Island & Pacific Railway Co., et al. Mr. Solicitor General Bowers, of counsel for The Interstate Commerce Commission, submitted to the consideration of the Court a motion to advance these cases.

Beatriz de los Angeles, widow of Mr. Aloe, vs. Appellant. Monserrate and Dominga Garcia Martin et al

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. B. K. Pettingell in support of the same, and Mr. Willis Sweet in opposition thereto.

652. Max Weber et al., vs. Petitioners. Grand Lodge of Kentucky, Free and Accepted Masons

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Edgar C. Blum and Mr. Louis J. Blum in support of the same, and Mr. Charles H. Fick and Mr. Alexander Pope Humphrey in opposition thereto.

666. Frank J. Swann, vs. Petitioner. Albert T. Ferrell

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Jesse A. Finner in support of the same, and Mr. William Howell in opposition thereto.

653	Samuel Gompers et al., vs. Petitioners. The Buck's Stove & Range Co.	The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Alton B. Parker, Mr. Jackson H. Ralston, Mr. F. L. Siddons and Mr. W. E. Richardson in support of the same.
673.	Nellie F. Keiper, Administratrix, etc., et al., vs. Petitioners. The Equitable Life Assurance Society of the U. S.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Claude Bedford in support of the same and Mr. Thomas De Witt Cuyler in opposition thereto.
318.	Rat Portage Lumber Co., vs. Plaintiff in Error, The State of Minnesota	The motion to advance in this cause was submitted to the consideration of the Court by Mr. Frederick S. Tyler in behalf of counsel for the defendant in error, and objections thereto were submitted by Mr. R. R. Briggs of counsel for the plaintiff in error.
319.	Lesure Lumber Co., vs. Plaintiff in Error. The State of Minnesota	The motion to advance this cause was submitted

of the Court by Mr. Frederick S. Tyler in behalf of counsel for the defendant in error, and objections thereto were submitted by Mr. M. A. Stanford, of counsel for the plaintiff in error.

639. Henry D. Spencer et al., Petitioners, vs. Victor M. Watkins et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Newell H. Clapp, Mr. Edward F. Treadwell, and Mr. John S. Partridge in support of the same, and Mr. Frank B. Kellogg and Mr. C. A. Severance in opposition thereto—

87. The Kansas City Star Co., Plaintiff in Error, vs. Henry S. Julian. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John N. Atwood, Mr. O. N. Dean and Mr. Ira Julian in support of the same, and Mr. Isaac R. Watson, Mr. Hannis Taylor, Mr. Wash. Adams and Mr. Frank Hagerman in opposition thereto—

The Board of County Commissioners of Santa Fe County et al., Appellants,
42 & 43. vs.
The Territory of New Mexico ex rel. Bird S. Coler and E. T. Chapman.

This cause was submitted to the consideration of the Court on the records and printed arguments by Mr. A. B. Renehan, of counsel for the appellants and Mr. Charles A. Spiess, of counsel for the appellees

The State of North Dakota ex rel. R. E. Flaherty, Plaintiff in Error.
47. vs.
O. H. Hanson, Sheriff, &c.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Edward Engerud, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

Byron F. Babbitt, Trustee, &c., Appellant,
39. vs.
Howard Dutcher, Secretary, &c. et al.
Abram J. Elkus, Petitioner,
238
(In the matter of the Maidon Steel Co. bankrupt.)

The argument of these cases was commenced by Mr. William B. Hornblower of counsel for the appellant in No. 39; continued by Mr. Henry W. Taft, of counsel for the appellees in No. 39, and concluded by

er in No. 335.

Nomada & Co.,
vs. Petitioner.
The United States.

The argument of this cause was commenced by Mr. Thomas Fitch, of counsel for the petitioner.

Proclamation being made the Court is adjourned

Tuesday, November 30th, 1909

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day,
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Cummins, it is ordered that Byron M. Coon, Esquire, of Estherville, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad, it is ordered that M. A. Dempsey, Esquire, of Cape Girardeau, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

Kornegay, Esquire, of Vinita, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that John G. Miller, Esquire, of Paducah, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

99 The Boston Chamber of Commerce et al., vs. Plaintiffs in Error, The City of Boston.

On motion of Mr. Holmes Conrad, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

220 Komada & Company, vs. Petitioner, The United States.

The argument of this cause was continued by Mr. J. C. McReynolds, of counsel for the respondent, and concluded by Mr. W. Wickham Smith, of counsel for the petitioner.

37. Marcelo Tiglao, Plaintiff in Error and Appellant vs. The Insular Government of the Philippine Islands et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. B. Browne, Mr. Alexander Britton, Mr. J. H. Blount and Mr. Evans Browne, of counsel for the plaintiff in error appellant, and Mr. Solicitor General Bowers, and Mr. Paul Charleton, of counsel for the defendants in error and appellees.

38. The Missouri Pacific Railway Co., Plaintiff in Error vs. The State of Kansas ex rel Carr W. Taylor, Attorney, &c., et al.

This cause was argued by Mr. B. P. Waggener, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Frederick S. Jackson, of counsel for the defendant in error.

20 Paul A. Weems, Plaintiff in Error vs. The United States.

The argument of this cause was commenced by Mr. A. S. Worthington, of counsel for the plaintiff in error, and continued by Mr. Assistant Attorney General Fowler, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Wednesday, December 1st. 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

The People of the State of New York ex rel. The Cooper Union for the advancement of Science and Art, Plaintiff in Error
vs.
Frank Gass, Register of the County of New York.

In Error to the Supreme Court of the State of New York.

187.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Paul A. Wume,
20. vs. Plaintiff in Error,
The United States.

The argument of this cause was continued by Mr. Assistant Attorney General Fowler of counsel for the defendant in error, and concluded by Mr. A. S. Worthington, of counsel for the plaintiff in error.

Illinois Central Railroad Co., of the State of Illinois
41. vs. Plaintiff in Error,
Robert W. Sheegog, Administrator, etc.

The argument of this cause was commenced by Mr. Edmund F. Trabue, of counsel for the plaintiff in error, and continued by Mr. John G. Miller, of counsel for the defendant in error, and Mr. Edmund F. Trabue, of counsel for the plaintiff in error.

Proclamation being made, the Court is ad-

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Z. Taylor Vinson, it is ordered that A. B. Fleming, Esquire, of Fairmont, and Homer W. Williams, Esquire, of Clarksburg, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Frank P. Diamondon, Plaintiff in Error, vs. The State of Kansas. In Error to the Supreme Court of the State of Kansas.

No. 5.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print

in pursuance of the tenth rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

41. Illinois Central Railroad Co., of the State of Illinois. Plaintiff in Error, vs. Robert W. Shurgog, Administrator, etc.

The argument of this cause was concluded by Mr. Edmund F. Trabue, of counsel for the plaintiff in error, and leave was granted counsel for both sides to file additional briefs herein.

46. The City of Minneapolis. Appellant, vs. The Minneapolis Street Railway Co.

The argument of this cause was commenced by Mr. William A. Lancaster, of counsel for the appellant, and continued by Mr. M. B. Koon, of counsel for the appellee.

Proclamation being made, the Court is ad-

Friday, December 3d, 1909

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Edwin Denby, it is ordered that J. Walter Drake, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. C. Brown, it is ordered that Hugh McIndoe, Esquire, of Joplin, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Thomas D. Hines, Esquire, of Jackson, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

46. The City of Minneapolis, Appellant. vs. The Minneapolis Street Railway Co. The argument of this cause was continued by Mr. M. B. Koon, of counsel for the appellee, and concluded by Mr. William A. Lancaster, of counsel for the appellant.

48. The Mechanical Appliance Co., Plaintiff in Error, vs. Benjamin T. Castleman. This cause was argued by Mr. Lee W. Grant, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Benjamin T. Castleman in propria persona.

49. The Rio Grande Dam & Irrigation Company, et al., Appellants, vs. The United States. The argument of this cause was commenced by Mr. W. W. Bride, of counsel for the appellants, continued by Mr. Solicitor General Bowers, of counsel for the appellee, and concluded by Mr. Frederick S. Tyler, of counsel for the ap-

Friday. December 3d, 1909. Continued.

Barton W. Kuhn,		The argument of this
vs.		cause was commenced
Fairmont Coal Co.		by Mr. Homer W. Williams, of counsel for

Kuhn, and continued by Mr. Edward H. Brannon and Mr. Z. Taylor Vinson, of counsel for the Fairmont Coal Company.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met to-day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that Elmer P. Chamberlin, Esquire, of Bellefontaine, State of Ohio, and Henry A. Wise, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bernard Carter, it is ordered that Shirley Carter, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Charles H. Edwards, it is ordered that Robert L. Colding, Esquire, of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. D. Rosenberg, it is ordered that Louis Samter Levy, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Jones, it is ordered that Richard N. Elliott, Esquire, of Connersville, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles L. Frailey, it is ordered that David F. Smith, Esquire, of Kalispell, State of Montana, and Patrick A. Loughran, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this be-

Albert Francis Judd, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Robert M. Snyder, Junior, and Sybil M. Snyder, as Executors of the last will and testament of R. M. Snyder, deceased, et al., Plaintiffs in Error,
vs.
J. Rosenbaum.

In Error to the Supreme Court of the Territory of Oklahoma

No. 28.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Oklahoma. per Mr. Justice Holmes

Lathrop, Shea & Kenwood Co., Plaintiff in Error,
vs.
Interior Construction and Improvement Co.

In Error to the Circuit Court of the United States for the Western District of New York.

No. 2.

This cause came on to be heard on the transcript

States for the Western District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the order of the said Circuit Court in this cause setting aside the service of the summons on the Interior Construction and Improvement Company and vacating the judgment against it and dismissing the action, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant the motion of plaintiff to remand the cause to the Supreme Court of the State of New York.

per Mr. Justice McKenna

18. Virginia Carolina Chemical Co., Plaintiff in Error, vs. J. P. Kinney. In Error to the Supreme Court of the State of South Carolina

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice McKenna

236. The United States, Plaintiff in Error, vs. John A. Corbett, Hideon E. Newman and Leroy E. McGill. In Error to the District Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court

per Mr. Justice White.

Dissenting in part:
Mr. Justice McKenna.
Mr. Justice Day.

339. The Baltimore & Ohio Railroad Co., vs. The Interstate Commerce Commission. On a certificate from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was

argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court purporting to certify this cause to this Court for review, be, and the same is hereby, set aside; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed in conformity with law.

Per Mr. Chief Justice Fuller.

Southern Pacific Co. and Oregon & California Railroad Co., vs. Interstate Commerce Commission. Certificate of the Judges of the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the certificate of the Judges of the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that said certificate be, and the same is hereby, dismissed; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to proceed therein in conformity with law.

Per Mr. Chief Justice Fuller.

Monday, December 6th 1909, continued

382. Pablo Yordi, Appellant. vs. Eugene Nolte, United States Marshal of the Western District of Texas. Appeal from the District Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

85 The Kansas City Star Co., Plaintiff in Error, vs. Henry S. Julian. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

Beatriz de los Angeles, widow of Mr. Aloz. vs. Appellant. Monserrate and Dominga Garcia Martin et al. 316. It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with case No. 90, as one case. It is further ordered that the further consideration of the motion to dismiss be postponed until the argument of the two cases.

per Mr. Chief Justice Fuller.

Rat Portage Lumber Co., vs. Plaintiff in Error. The State of Minnesota. 318.

Lesure Lumber Co. vs. Plaintiff in Error. The State of Minnesota. 319.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, severally denied.

per Mr. Chief Justice Fuller.

The Interstate Commerce Commission et al., vs. Appellants. The Delaware, Lackawanna & Western Railroad Co., et al. 594.

On consideration of the motion to advance this cause It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 21, 1910 after the cases heretofore assigned for that day.

663 The Interstate Commerce Commission, vs. Appellant, Chicago, Rock Island & Pacific Ry Co., et al.

664 Burnham, Hanna, Munger Dry Goods Co., et al., vs Appellants, Chicago, Rock Island & Pacific Railway Co., et al.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument as one case on Monday, February 21, 1910, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

685 Samuel Gompers, John Mitchell and Frank Morrison, Petitioners vs The Buck's Stove & Range Co.

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

639. Henry D. Spencer, John S. Spencer, Catherine Spencer Ewing et al., Petitioners vs. Victor M. Watkins, Charles L. Spencer, and Charles N. Bell, as Executors of Fanny S. Wilder, deceased, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

666. Frank J. Grame, Petitioner, vs. Albert T. Ferree. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

670 Charles W. Morse, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

673 Nellie F. Keiper, Administratrix of the estate of John F. Finney, deceased, Petitioner, vs. The Equitable Life Assurance Society of the United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

682. Max Weber and David B. Weber, Partners as Weber Brothers, vs. Petitioners, Grand Lodge of Kentucky, Free and Accepted Masons. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

53. C. M. Pendleton, vs. Plaintiff in Error, The United States. On motion of Mr. Solicitor General Bowers, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

490 The United States, vs. Plaintiff in Error, Pierre Grimaud et al.

491 The United States, vs. Plaintiff in Error, Antonio Juda.

Mr. Solicitor General Bowers, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion

581. The United States, Plaintiff in Error, vs. William B. Hammer. Mr. Solicitor General Bowers, of counsel for the plaintiff in error, submitted to the consideration of the court a motion to advance this cause.

641. The Interstate Commerce Commission, Appellant, vs. The Chicago, Burlington & Quincy Railroad Co. Mr. Solicitor General Bowers, of counsel for the appellant, submitted to the consideration of the court a motion to advance this cause.

683. Jacksonville Towing & Wrecking Co., et al., Petitioners, vs. The Steamship "Bayamo" &c. The petition for a writ of certiorari herein was submitted to the consideration of the court on printed arguments by Mr. N. Bisbee and Mr. George C. Bedell in support of the same, and Mr Charles S. Haight in opposition thereto.

416. G. Wash Hunter, Plaintiff in Error, vs. The State of South Carolina. Mr. J. Fraser Lyon, of counsel for the defendant in error, submitted to the consideration of the court a suggestion of dimi-

certiorari in this cause. Whereupon, it is now here ordered by the Court that said motion be, and the same is hereby, granted, the record presented with the suggestion and motion to stand as a return to the writ.

Ex parte: In the matter of Athanasi Nicola. — Original Petitioner. Mr. J. J. Darlington of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Lucino Almeida Chautauqco and Enrique Leite, vs Plaintiffs in Error. 73. Eduardo Abarca. Mr. A. B. Browne of counsel for the plaintiffs in error, suggested the death of Eduardo Abarca, the defendant in error in this cause, and moved the Court for an order under the 15th rule to make the proper representatives parties; Whereupon, it is now here ordered by the Court that unless the proper representatives of the said Eduardo Abarca, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the plaintiffs in error shall be entitled to open the record, and on hearing have the judgment reversed if it be erroneous: Provided

printed in some newspaper of general circulation within the Philippine Islands for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

per Mr. Chief Justice Fuller

691. New Liverpool Salt Co., Petitioner, vs. California Development Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. E. J. McCutchen, Mr. Charles Page and Mr. Samuel Knight in support of the same

66. John A. Brill et al., Appellants, vs. The Washington Railway & Electric Co. Mr. Melville Church, of counsel for the appellants, suggested the death of John A. Brill, one of the appellants herein, and moved the Court to make Edward Brill, Amelia Brill Riddle and Frank Fisher, executors of the said John A. Brill deceased, parties appellants in this cause. Whereupon, it is now here ordered by the Court that the said Edward Brill, Amelia Brill Riddle and Frank Fisher, executors of the said John A. Brill, deceased, be and they are hereby made parties appellants in this cause.

434	Missouri, Kansas & Texas Railway Co., of Texas, vs. Harry C. Bailey. Plaintiff in Error	The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. B. F. Looney in support of the same, and Mr. James Hagerman and Mr. Joseph M. Bryson in opposition thereto.
37	Barton W. Kuhn vs. Fairmont Coal Co.	The argument of this cause was continued by Mr. Z. Taylor Vinson of counsel for the Fairmont Coal Company, and concluded by Mr. Homer W. Williams, of counsel for Kuhn.
469	Frederick J. Lowrey et al., Trustees, etc., vs. The Territory of Hawaii. Appellants,	The argument of this cause was commenced by Mr. David L. Withington, of counsel for the appellants, and continued by Mr. C. R. Hemenway, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Thursday, December 7th, 1905

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
} Associate Justices.

John M. Wright, Esquire, Marshal.
James A. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Cummins, it is ordered that James W. Jamison, Esquire, of Cedar Rapids, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles C. Paulding, it is ordered that Henry Wayland Hill, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Philos S. Jones, Esquire, of Wilburton, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Nichol, it is ordered that Frank J. K. Mitchell, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. S. Huston, it is ordered that Cyrus Kehr, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

H64 Frederick J. Lowrey et al., Trustees, Appellants, vs. The Territory of Hawaii. The argument of this cause was continued by Mr. C. R. Hemenway, of counsel for the appellee, and concluded by Mr. David L. Withington, of counsel for the appellants.

Jennie L. Grave et al., Petitioners, vs. Anna P. Atherton, This cause was argued by Mr. Marion

submitted on a printed argument by Mr. Alfred R. Kline, of counsel for the respondents.

Scott County Macadamized Road Co., Plaintiff in Error. vs. The State of Missouri ex rel. T. D. Kline, Prosecuting Attorney, &c.

52.

The argument of this cause was commenced by Mr. Edward S. Robert, of counsel for the plaintiff in error, and continued by Mr. M. A. Dempsey, of counsel for the defendant in error.

Proclamation being made the Court is ad-

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes.
William R. Day.
John M. Wright, Esquire, Marshal.
James D. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John J. Hamilton, it is ordered that William W. Crawford, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

No. 2. Scott County Macadamized Road Co., Plaintiff in Error, vs. The State of Missouri ex rel. T. D. Hines, Prosecuting Attorney, &c.

The argument of this cause was continued by Mr. M. A. Dempsey, of counsel for the defendant in error, and concluded by Mr. T. D. Hines of counsel for the defendant

Richard A. Ballinger, Secretary of the Interior, vs. Plaintiff in Error, The United States of America ex rel. Belle Frost

No. 54.

This cause was argued by Mr. Assistant Attorney General Harr, of counsel for the plaintiff in error, and Mr. Charles H. Merillat, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Thursday, December 9, 1909.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. Garland Dupre, it is ordered that Timothy T. Ansberry, Esquire, of Defiance State of Ohio, and Paul A. Sompayrac, Esquire, of New Orleans, State of Louisiana be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. W. Roberts, it is ordered that Charles Neal Barney, Esquire, of Lynn, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Hagerman, it is ordered that George S. Ramsey and Edgar A. de Meules, Esquires, of Muskogee, State of Oklahoma, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin Denby, it is ordered that Henry M. Butzel and Edward N. Dingeldein, Esquires, of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Hart, it is ordered that Samuel A. Sibley, Esquire, of Union Point, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

56. William Woodside, Plaintiff in Error, vs. Albert Vasey et al.

Mr. John R. Smith in behalf of counsel for the defendants in error, suggested the death of Albert Vasey, one of the defendants in error in this cause, and moved the Court to make N. S. Beckman, Administrator of the

in error in this cause. Whereupon, It is now here ordered by the Court that the said H. S. Beckman, Administrator of Albert Vasey, deceased, be and he is hereby, made a party defendant in error in this cause.

No. 16 William Woodside, Plaintiff in Error, vs. H. S. Beckman, Administrator, etc., et al

This cause was argued by Mr. John R. Smith of counsel for the plaintiff in error, and Mr. J. W. Jamison, of counsel for the defendants in error.

No. 17 St. Louis, Kansas City & Colorado Railroad Co., Appellant, vs. The City of St. Louis et al

No. 18 St. Louis, Kansas City & Colorado Railroad Co., Petitioner, vs. Wabash Railroad Co., et al

These cases were argued by Mr. Frank Hagerman, of counsel for the appellant and petitioner, and Mr. James L. Minnis, of counsel for the appellee and respondents.

	Atlantic Coast Line Railroad Co.,	These cases were argued by Mr. Frederic D. McKenney, of counsel for the plaintiffs in error. No counsel appeared for the defendants in error.
58.	vs. Plaintiff in Error,	
	B. Mazursky.	
	Southern Express Co.,	
59.	vs. Plaintiff in Error,	
	E. E. McTeer.	
	Atlantic Coast Line Railroad Co.,	
60.	vs Plaintiff in Error.	
	R. Keith & Charles.	
	Atlantic Coast Line Railroad Co.,	
61.	vs. Plaintiff in Error	
	A. von Lehe.	
	Atlantic Coast Line Railroad Co.,	
62	vs. Plaintiff in Error.	
	A. von Lehe.	

Proclamation being made, the Court is adjourned

Friday, December 10th. 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. S. M. Sparkman, it is ordered that John W. Burton, Esquire, of Arcadia, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Gilfry, it is ordered that Albin W. Norblad, Esquire, of Astoria, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

J. Barron, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mason N. Richardson, it is ordered that Charles Benner, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that A. S. Ducill, Esquire, of Yonkers, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Lewis Fisher, Esquire, of Galveston, and Isaac M. Standifer, Esquire, of Houston, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

57. St. Louis Kansas City & Colorado Railroad Co, Appellant. vs. The City of St. Louis et al

On motion of Mr James L. Minnis, of counsel for the appellee, leave is hereby granted him to file a supplemental brief herein within five days

Friday, December 10th, 1909, continued.

62. A. Henley et al., vs. Plaintiffs in Error, E. E. Myers, Receiver, etc. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. W. Nevison, of counsel for the plaintiffs in error, and by Mr. E. E. Myers *in propria persona*

63. Alberto Will, doing business under the name of Will & Co., et al., vs. Appellants, Joaquin Tornabelle, doing business under the firm name of J. Tornabelle & Co., et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. N. B. K. Pettingill, of counsel for the appellants. No brief was filed on behalf of the appellees.

64. The First National Bank of Estherville, Iowa, et al., vs. Plaintiffs in Error, The City Council of Estherville etc. et al. This cause was argued by Mr. Charles A. Clark, of counsel for the plaintiffs in error, and Mr. Byron M. Coon, of counsel for the defendants in error.

Friday December 10th 1909 continued.

66 Edward Brill et al. Executors, etc, et al., Appellants, vs. The Washington Railway & Electric Co.

counsel for the appellee.

The argument of the cause was commenced by Mr. Francis Rawles of counsel for the appellants, and continued by Mr H. S. Duell, of

Court thereupon took a recess until to-morrow morning

Monday, December 13th, 1909.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that Laurence E. Armstrong, Esquire, of Rawlins, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Dillon, it is ordered that C. W. Campbell, Esquire, of Huntington, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Wells Goody Koontz, Esquire, of Williamson, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Floyd, it is ordered that W. A. Oldfield, Esquire, of Batesville, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Cox, it is ordered that Luther Colfax Anderson and D. J. F. Strother, Esquires, of Welch, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. Clarke, it is ordered that Ulysses S. Bratton and E. B. Kinsworthy, Esquires, of Little Rock, and George L. Grant, Esquire of Newport, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe T. Robinson, it is ordered

and Eldon A. Bolton, Esquires, of Lake Village, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The United States, Plaintiff in Error. vs. Bob Celestine. 237

In Error to the Circuit Court of the United States for the Western District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brewer

The Rio Grande Dam & Irrigation Co. and The Rio Grande Irrigation & Land Co., Limited, Appellants, vs. The United States. 44

Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript

Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

(Mr. Justice McKenna did not participate in the consideration or determination of this case.)

The Chief Justice announced that the Court will take a recess from Monday, December 20th to Monday, January 3d, 1910.

11 Original. Ex parte: In the matter of Athanasi Nicola. Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

11 Original. Ex parte: In the matter of Athanasi Nicola. Petitioner. On consideration of the petition for a writ of mandamus herein, It is now here ordered by the Court that cause be shown by the Honorable David P. Dyer, Judge of the

Eastern Division of the Eastern Judicial District of Missouri, holding the circuit court for the Eastern Division of the Eastern Judicial District of Missouri, before this Court, at the City of Washington, on Monday, January 3, 1910, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Fuller.

430. Missouri, Kansas & Texas Railway Co. of Texas, vs Plaintiff in Error; Harry C. Bailey.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

490. The United States, vs. Plaintiff in Error; Pierre Grimaud et al.

491. The United States, vs Plaintiff in Error; Antonio Suda.

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument as one case on Monday February 21, 1910, after the cases

581. The United States, Plaintiff in Error, vs. William B. Hammers. On consideration of the motion to advance this cause It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 21, 1910, after the cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

641. The Interstate Commerce Commission, Appellant, vs. Chicago, Burlington & Quincy Railroad Co., et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, February 21, 1910, after the cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

683. Jacksonville Towing & Wrecking Co., and Roderick G. Ross, Petitioners, vs. The Steamship "Bayamo", H. A. Huff, Master and Claimant. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby denied

per Mr. Chief Justice Fuller

691. New Liverpool Salt Co., Petitioners vs. California Development Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied

per Mr. Chief Justice Fuller

36. Mrs. Emma G. Mills and her husband, Harry Mills, Plaintiffs in Error, vs. Mrs. M. E. V. Johnson and Husband, L. A. Johnson, J. N. K. Burk, A. R. Burk et al In Error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fifth Supreme Judicial District of the State

of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

8, Original. The United States of America, Complainant. vs. The People of the State of New York et al. On motion of Mr. Solicitor General Bowers, of counsel for the complainant

leave is hereby granted to file a stipulation herein extending the time of the defendants, The People of the State of New York et al. to plead herein.

640. Henry L. Hertz, Collector of Internal Revenue, vs. Gordon Q. Woodman et al., Executors, etc., et al. Mr. Solicitor General Bowers, of counsel for Hertz, Collector, submitted to the consideration of the Court a motion to advance this cause.

621. The Red "C" Oil Manufacturing Co., Appellant, vs. The Board of Agriculture of North Carolina et al. Mr. J. R. Winston, of counsel for the appellant, submitted to the consideration of the Court a motion to

advance this cause

John Flannelly et al., vs. The Delaware & Hudson Co. — Petitioners. — 608

Mr. Frank W. Hackett, of counsel for the petitioners, submitted to the consideration of the Court a motion to advance this cause

Louisville & Nashville Railroad Co., vs. N. P. Scott. — Plaintiff in Error. — 543

Mr. Alfred P. Thom, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

The United States, vs. The American Tobacco Co., et al. — Appellant. — 316

The American Tobacco Co., et al., vs. The United States — Appellants. — 317

It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Monday, January 3 next, after the cases heretofore assigned for that day.

Edward Brill et al., Executors, &c., vs. The Washington Railway & Electric Co. — Appellants. — 66

The argument of this cause was continued by Mr. A. S. Duell, of counsel for the appellee and concluded by

of counsel for the appellants.

4148. Charles Thomas, Plaintiff in Error, vs. The State of Texas. — This cause was argued by Mr. J. T. Mulvaney, of counsel for the plaintiff in error, and Mr. Charles W. Lynn, of counsel for the defendant in error.

343. William J. Morley, a corporation, etc., vs. Henry L. Hertz, Collector of Internal Revenue, &c. — The argument of this cause was commenced by Mr. John Maynard Harlan, of counsel for William J. Morley.

8, Original. The United States of America, Complainant, vs. The People of the State of New York et al. — On motion of Mr. Solicitor General Bowers, It is ordered that the time for the defendants to plead herein be, and the same is hereby, extended until January 10th, 1910, per stipulation of counsel.

Proclamation being made the Court is adjourned

Tuesday, December 14th 1909.

Pursuant to adjournment the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

William J. Moxley, a corporation, &c.,
vs.
Henry L. Hertz, Collector of Internal Revenue, &c.

The argument of this cause was continued by Mr. John Maynard Harlan, of counsel for William J. Moxley, and Mr. Solicitor General Bowers, of counsel for Henry L. Hertz, Collector, &c., and concluded by Mr. John Maynard Harlan, of counsel for William J. Moxley.

Henry C. King.
vs. Plaintiff in Error.
The State of West Virginia; Eg-bert Mills, Egbert Mills, Trustee, &c.

In Error to the Supreme Court of Appeals of the State of West Virginia.

regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

445, 446, 447 { Henry C. King, vs. Plaintiff in Error, The State of West Virginia et al. } On motion of Mr. John F. Dillon, of counsel for the defendants in error,

It is ordered by the Court that one hour additional time be allowed counsel for each side in the argument of these cases.

445, 446, 447 { Henry C. King, vs. Plaintiff in Error, The State of West Virginia et al. } The argument of these cases was commenced by Mr. Hannis Taylor of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that T. A. Spence, Esquire, of Milwaukee, State of Wisconsin, and James F. Pringle, Esquire, of Burlingame, State of Kansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry W. Palmer, it is ordered that William N. Reynolds, Jr., Esquire, of Wilkes-Barre, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

by Mr. Robert M. LaFollette, it is ordered that Eugene W. Chafin, Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. A. Armstrong, it is ordered that J. Speed Leaming, Esquire, of Cape May City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

4445 Henry C. King.
4446 vs. Plaintiff in Error,
4447 The State of West Virginia et al

The argument of these cases was continued by Mr. Hannis Taylor, of counsel for the plaintiff in error, and Mr. C. W. Campbell, Mr. John F. Dillon and Mr. Frank Cox, of counsel for the defendants in error, and Mr. Maynard F. Stiles, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Thursday, December 16th, 1909.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Elbridge T. Gerry, it is ordered that Peter Goelet Gerry, Esquire, of Newport, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin R. Johnson, it is ordered that Thomas E. Robertson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

T. M. McCready, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Trautmann, it is ordered that George A. Crow, Esquire, of East St. Louis, and Corbus P. Gardner, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Charles W. Pierson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

445 Henry C. King,
446. vs. Plaintiff in Error,
447. The State of West Virginia et al

The argument of these cases was concluded by Mr. Maynard F. Stiles of counsel for the plaintiff in error, and leave was granted counsel for both sides to file additional briefs herein on or before Monday next.

Thursday, December 16th, 1909, continued.

366.	Frederick A. Peckham, vs. William Henkel, United States Marshal, &c. Appellant.	It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Monday, January 3, 1910, after the cases heretofore assigned for that day.
367.	Moses Haas, vs. William Henkel, United States Marshal, &c. Appellant.	
385.	Theodore A. Price, vs. William Henkel, United States Marshal, &c. Appellant.	
450.	Southern Railway Co., vs Samuel E. Greene. Plaintiff in Error;	The argument of these cases was commenced by Mr. Gregory L. Smith, of counsel for the plaintiffs in error, and continued by Mr. Alexander M. Garber and Mr. Samuel D. Weakley of counsel for the defendants in error.
451.	Louisville & Nashville Railroad Co., vs John B. Gaston. Plaintiff in Error;	

Proclamation being made, the Court is adjourned

Friday. December 17th 1909.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. P. Michener, it is ordered that Robert E. Hollingsworth, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

450. Southern Railway Co., Plaintiff in Error, vs. Samuel E. Greene.

451. Louisville & Nashville Railroad Co., Plaintiff in Error, vs. John B. Gaston.

The argument of these cases was continued by Mr. Samuel D. Weakley, of counsel for the defendants in error, and concluded by Mr. Alfred P. Thom, of counsel for the plaintiffs in error.

1561 The Baltimore & Ohio Railroad Co, Appellant, vs. Interstate Commerce Commission. The argument of this cause was commenced by Mr. Frederic D. McKinney of counsel for the appellant, and continued by Mr. Solicitor General Bowers, of counsel for the appellee.

Proclamation being made the Court is adjourned

Monday, December 20th. 1909.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that Fenimore Chatterton, Esquire, of Cheyenne, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Capers, it is ordered that W. Boyd. Evans, Esquire, of Columbia, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Charles A. Little, Esquire, of Hagerstown State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Theodore F. Davidson, it is ordered that T. W. Bickett, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard Boyd, it is ordered that Percival A. Marshall, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. L. Siddons, it is ordered that Eubie L. Nye, Esquire, of Denver, State of Colorado, and Joe A. Jordan, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. J. C. Needham, it is ordered that Charles Louis Neumiller, Esquire, of Stockton

attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Ethury H. Sykes, Esquire, of New York City, and J. Carlisle Lee, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ezra R. Thayer, it is ordered that Joseph H. Soliday and Richard Y. FitzGerald, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Blair Lee, it is ordered that H. F. Winger and Miller Winger, Esquires, of Hagerstown, State of Maryland, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

41. Illinois Central Railroad Co., of the State of Illinois vs. Robert W. Shugog, Administrator of the estate of John E. Shugog, deceased. — In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

Dissenting:
Mr. Justice Day
Mr. Justice Harlan.

51. Jennie L. Graves, Ida J. Graves and Minnie C. Graves, Petitioners, vs. Anna P. Ashburn, Executrix of W. W. Ashburn, deceased, and A. P. Crawford. — On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that

the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Georgia for further proceedings in conformity with the opinion of this Court.

-per Mr. Justice Holmes

52. Scott County Macadamized Road Co. vs. The State of Missouri ex rel. J. D. Hines, Prosecuting Attorney of Cape Girardeau County.

In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

-per Mr. Justice Holmes

The Board of County Commissioners of Santa Fe County, et al., Appellants,
42. vs
The Territory of New Mexico ex rel. Bird S. Coler and E. T. Chapman.

Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice McKenna.

The Board of County Commissioners of Santa Fe County, et al., Appellants,
43. vs
The Territory of New Mexico ex rel. Bird S. Coler and E. T. Chapman.

Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed

prime Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice McKenna

312. The United States, Plaintiff in Error, vs. Harvey Sutton and Robert Miller. In Error to the District Court of the United States for the Eastern District of Washington

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court

per Mr. Justice Brewer.

314 Louisville & Nashville Railroad Co., Plaintiff in Error, vs. N. P. Scott. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

605. John Fleanzelly et al., Petitioners, vs. The Delaware & Hudson Co. On consideration of the motion to advance this cause, It is now here ordered by the Court that motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

624. The Red "C" Oil Manufacturing Co., Appellant, vs. The Board of Agriculture of North Carolina et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

640 Henry L. Hertz, Collector of Internal Revenue, vs. Gordon C. Woodman et al., Executors &c. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, March 14, 1910.

per Mr. Chief Justice Fuller.

Monday, December 20th, 1909, continued.

	Atlantic Coast Line Railroad Co.,	It is ordered by the Court that the Clerk notify the Attorney General of the State of South Carolina of the pendency of these cases, and leave is granted that officers to file a brief as amicus curiae herein on or before January 3, 1910, if he be so advised.
58.	vs. Plaintiff in Error,	
	B. Mazursky.	
	Southern Express Co.,	
59.	vs. Plaintiff in Error.	
	E. E. McTier	
	Atlantic Coast Line Railroad Co.,	
60	vs. Plaintiff in Error	
	R. Reich Charles	
	Atlantic Coast Line Railroad Co.,	
61	vs Plaintiff in Error.	
	A. von Lehe	
	Atlantic Coast Line Railroad Co.,	
62.	vs. Plaintiff in Error,	
	A. von Lehe.	

Per Mr. Chief Justice Fuller.

	Charles Thomas,	In Error to the
448.	vs. Plaintiff in Error,	Supreme Court of
	The State of Iowa.	the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that

same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

693. W. S. Harlan et al., Appellants, vs. T. F. McGourin, United States Marshal &c.

694 Robert Gallagher, Appellant, vs. T. F. McGourin, United States Marshal, &c.

Mr. Solicitor General Bowers, of counsel for the appellee, submitted to the consideration of the Court a motion to advance these cases.

— Original. Ex parte: In the matter of The United States Consolidated Seeded Raisin Co., Petitioner

Mr. John H. Miller, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus or a writ of certiorari herein.

710 John R. Walsh, Petitioner, vs. The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. John S. Miller, Mr. Merritt Starr and Mr. E. T. Ritchie in support of the same, and leave was granted Mr. Solicitor General Bowers to file a brief in opposition thereto within

a reply thereto within five days thereafter.

The State of North Carolina. Complainant.
Original vs.
The State of Tennessee

On motion of Mr. Charles T. Bates, Jr., of counsel for the defendant, leave is hereby granted to file the replication of the defendant to the answer of the complainant to the cross-bill herein

The State of North Carolina. Complainant.
Original vs.
The State of Tennessee

The motion to set this case down for trial and to fix the method of trial was submitted to the consideration of the Court on printed arguments by Mr. Theodore F. Davidson, Mr. J. W. Bickett, Mr. C. B. Matthews and Mr. F. A. Sondley in support of the same, and leave was granted Mr. Charles T. Bates, Jr., of counsel for the defendant to file objections thereto

Solomon Bradley
692 vs Plaintiff in Error,
The State of Georgia

Mr. J. H. Blount, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to proceed in forma pauperis herein

704 Charles E. Davis. vs. The United States. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. A. Raleton and Mr. Joel Branham in support of the same, and Mr. Solicitor General Bowers in opposition thereto.

711. Peale, Peacock & Kerr of New York, vs. John M. Graham. Petitioner, The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Ezra R. Thayer in support of the same, and Mr. Robert M. Morse and Mr. William M. Richardson in opposition thereto.

703 C. L. Van Sice. vs. The Ibex Mining Co. Petitioner, The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edwin A. Park in support of the same, and Mr. Charles J. Hughes, Jr., and Mr. Charles Lavender in opposition thereto.

Atlantic Coast Line Railroad Co., Plaintiff in Error, vs. W. L. Healy. In Error to the Supreme Court of the State of South Carolina.

224

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefor, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Robert M. Snyder, Jr., et al., Executors, &c., et al., Plaintiffs in Error, vs. J. Rosenbaum. On motion of Mr. A. B. Browne in behalf of counsel for the plaintiff in error

25

It is ordered by the Court that the mandate in this cause be, and the same is hereby, stayed for thirty days.

John Wynne, Plaintiff in Error, vs. The United States. On motion of Mr. A. B. Browne, in behalf of counsel for the plaintiff in

444

error It is ordered by the Court that this

for argument on Monday, February 21, 1910, after the cases heretofore assigned for that day.

695 Abraham Acord et al., Petitioners. vs. Western Pocahontas Corporation. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Arthur English in support of the same, and Mr. J. Lewis Bumgardner in opposition thereto.

713 Lewis P. Wingert. Appellant. vs. The First National Bank of Hagerstown et al.

Mr. Blair Lee, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

320 A. H. Huston, Judge &c., et al., Plaintiffs in Error, vs. The State of Oklahoma ex rel. C. N. Haskell, Governor. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. C. Bruce in support of the same, and Mr. Charles West and Mr. E. G. Spilman in opposition thereto.

Monday, December 20th, 1909, continued.

609 Perth Amboy Dry Dock Co. vs. Monmouth Steamboat Co. Appellant. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James D. Dewell, Jr., and Mr. Avery Fayette Cushman, of counsel for the appellant, and Mr. Charles K. Snyder, of counsel for the appellee.

456 The Baltimore & Ohio Railroad Co. vs. Interstate Commerce Commission. Appellant. The argument of this cause was concluded by Mr. John G. Johnson, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Monday, January 3, 1910.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton,
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

The Honorable Horace H. Lurton appeared and produced the following Letters Patent and oaths of office which were read in open court and ordered to be recorded upon the minutes viz:

William Howard Taft,

President of the United States of America.

To all who shall see these presents, Greeting:

Know ye, That reposing special trust and confidence in the wisdom, uprightness and learning of Horace H. Lurton, of Tennessee, I have nominated, and by and with the advice and consent of the Senate, do appoint him

him to execute and fulfill the duties of that office according to the Constitution and Laws of the said United States, and to have and to hold the said office, with all the powers, privileges and emoluments to the same of right appertaining, unto him, the said Horace H. Lurton, during his good behavior.

In testimony whereof I have caused these Letters to be made patent, and the Seal of the Department of Justice to be hereunto affixed.

Given under my hand, at the City of Washington, the Twentieth day of December, in the year of our Lord one thousand nine hundred and nine, and of the Independence of the United States of America the one hundred and thirty-fourth.

Seal

By the President:

William H. Taft.

George W. Wickersham,

Attorney General.

Supreme Court of the United States

October Term, 1909

I, Horace H. Lurton, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same, that I take this obliga-

purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Horace H. Lurton.

Subscribed and sworn to
before me this third day
of January, A. D. 1910.

Melville W. Fuller
Chief Justice of the United States.

Supreme Court of the United States.
October Term, 1909.

I, Horace H. Lurton, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.

Horace H. Lurton.

Subscribed and sworn to
before me this third day
of January, A. D. 1910.

(Seal)

James H. McKenney,
Clerk of the Supreme Court of the
United States.

On motion first made to the Court in this behalf by Mr. W. Bourke Cochran, it is ordered that Robert J. Fox, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Samuel W. Clark, Esquire, of Redfield, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. O. Levinson, it is ordered that Philip W. Frey, Esquire, of Evansville, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Gittings, it is ordered that Justin Morrill Chamberlin, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered

Porto Rico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. P. Campbell, it is ordered that Leander Stillwell, Esquire, of Erie, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. B. Cooke, it is ordered that Lewis Minor Coleman, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that William Allen Butler, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. McReynolds, it is ordered that William S. Gregg, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick deb. Faust, it is ordered that George Mercer, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

46. The City of Minneapolis, Appellant. vs. The Minneapolis Street Railway Co. Appeal from the Circuit Court of the United States for the District of Minnesota

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby modified as indicated in the opinion of this Court and, as so modified, be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

48 The Mechanical Appliance Co., Plaintiff in Error, vs. Benjamin T. Castleman. In Error to the Circuit Court of the United States for the Eastern District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and

whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the cause for the want of jurisdiction.

per Mr. Justice Day.

37. Marcel Tiglao, Plaintiff in Error & Appellant. vs. The Insular Government of the Philippine Islands et al. In Error to and appeal from the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed. It is further ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

38. Arturo M. Elias. Appellant. vs. Eduardo Ramirez Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript

of Arizona, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the order of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice McKenna.

220. Komada & Co., Petitioner, vs The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Justice Brewer.

19. Union Pacific Railroad Co., Plaintiff in Error, vs. Morris Harris, Ralph Harris, Anna H. Arnett, and Nellie M. Daniels — In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

50 Burton W. Kuhn, vs. Fairmont Coal Co. — On a certificate from the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified should be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Harlan.

Dissenting:

A. Henley, J. A. Henley, A. D. Macky, J. D. Bowersock, and Mrs. C. M. Hornsby, vs. E. E. Myers, Receiver of the Consolidated Barb Wire Co

72. Plaintiffs in Error,

In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

The First National Bank of Estherville, Iowa, et al, vs. The City Council of Estherville, sitting as a Board of Equalization and Review, et al

64. Plaintiffs in Error,

In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is here-

Mr. Justice Fuller.

Ex parte: In the matter of The United States Consolidated Ruded Raisin Co., Petitioners

Original

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied. It is further ordered that the application for a writ of certiorari herein be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The State of North Carolina, Complainant,

7, Original vs.

The State of Tennessee

It is now here ordered by the Court that the complainant herein is ruled to take and file depositions on its behalf within ninety days, and that the defendant be, and it is hereby, ruled to take its depositions on its behalf within ninety days of the conclusion of the taking of depositions for the complainant.

per Mr. Chief Justice Fuller.

Solomon Brantley, Plaintiff in Error,

692. vs.

The State of Georgia

On consideration of the motion for leave to proceed in this cause in forma pauperis, It is now here ordered by the Court that said motion be and the same is hereby granted.

693. W. S. Harlan et al., vs. Appellants, J. F. McClourin, U. S. Marshal, etc
694. Robert Gallagher, vs Appellant. J. F. McClourin, U. S. Marshal, etc

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cases assigned for argument as one case on Tuesday, October 11th next.

per Mr. Chief Justice Fuller.

713. Lewis P. Wingert, vs. Appellant. The First National Bank of Hagerstown et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

695. Abraham Acord, A. P. Farley, Park Cook et al., vs. Petitioners, Western Pocahontas Corporation

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit and

well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

per Mr. Chief Justice Fuller.

703 C. L. Van Sice, Petitioner, vs. The Ibex Mining Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

per Mr. Chief Justice Fuller.

704 Charles E. Davis, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

711. Peale, Peacock & Kerr of New York, vs. John M. Graham. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

32. A. Huston, Judge of the District Court of the Eleventh Judicial District, and Charles West, Attorney General of the State of Oklahoma, vs. The State of Oklahoma on the relation of C. N. Haskell, Governor. Plaintiffs in Error. In Error to the Supreme Court of the State of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma and on motion to dismiss which was argued by counsel. On consideration whereof It is now here ordered and adjudged by

be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

609. Perth Amboy Dry Dock Co., Appellant, vs. Monmouth Steamboat Co. Appeal from the District Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

8, Original. The United States of America, Complainant, vs. The People of the State of New York et al. On motion of Mr. Solicitor General Bowers, in behalf of counsel for the defendants,

leave is hereby granted to file the answer of The People of the State of New York et al.

539 The United States, Plaintiff in Error, vs. American Bonding Co. of Baltimore } In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Bowers of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed.

Per Mr. Chief Justice Fuller.

540 The United States, Plaintiff in Error, vs. Rudolf Axman. } In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Bowers of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

725. Standard Oil Co., et al., vs. The United States. Appellants, Mr. Solicitor General Bowers, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

630 John C. McClellan et al., vs. John E. Carland, United States District Judge &c. Petitioners. Mr. Melvin Grigsby, of counsel for the petitioners, submitted to the consideration of the Court a motion to advance this cause.

11 The Steamship "Folmina" &c., vs Gustave A. Jahn et al. Petitioner, The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Parker Kirlin and Mr. John M. Woolsey in support of the same, and Mr. Frederick M. Brown in opposition thereto.

316. The United States, vs. The American Tobacco Co., et al. Appellant,

317. The American Tobacco Co., et al., vs. The United States. Appellants, Mr. W. Bourke Cochran and Mr. Thomas Thacher, respectively, submitted to the consideration of the Court motions for leave to file printed

9 Rumford Chemical Works, vs. Petitioner, Hygienic Chemical Co. et al.,
121. vs. Petitioners, Rumford Chemical Works

The motion for leave to re-open proofs in the Circuit Courts in these cases was submitted to the consideration of the Court on printed arguments by Mr. Philip Mauro and Mr. C. A. L. Massie in support of the same, and Mr. Willard Parker Butler and Mr. Edwin T. Rice in opposition thereto.

Pire Alfredo Luis Baglin et al.,
39. vs. Petitioners, Louisenier Company.

The petition for an additional writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Philip Mauro and Mr. C. A. L. Massie in support of the same, and Mr. A. L. Pincoffs and Mr. Roger Foster in opposition thereto.

Liverpool & London & Globe Insurance Co., of New York
252. vs. Plaintiff in Error, The Board of Assessors of the Parish of Orleans et al.

Mr. Frederick S. Tyler in behalf of counsel, submitted to the consideration of the Court a motion

723. Orient Insurance Co., et al., vs. Plaintiffs in Error. The Board of Assessors of the Parish of Orleans et al. Mr. Frederick S. Tyler, in behalf of counsel, submitted to the consideration of the Court a motion to advance this case for hearing with case No. 282, as one case.

176. Frederick Weyerhaeuser, et al., vs. Appellants, Herbert A. Hoyt. Mr. Evans Browne in behalf of counsel, submitted to the consideration of the Court a motion to advance this case for hearing with case No. 176.

525. The Atchison, Topeka & Santa Fe Railway Co., vs. Plaintiff in Error. Mitchell E. Pickens. In Error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas.

This cause having been called to the attention of the Court by Mr. Evans Browne, in behalf of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore in pursuance of said motion it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

700. Northern Pacific Railway Co., Plaintiff in Error, vs. Bessie Babcock, Administratrix. Mr. Evans Browne, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

341. Central of Georgia Railway Co., Appellant, vs. William A. Wright, Comptroller General of Georgia, et al. Appeal from the Circuit Court of the United States for the District of Georgia

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed. Therefore in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

207. Missouri, Kansas & Texas Railway Co., Plaintiff in Error, vs. J. B. Buckley. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. B. F. Looney in support of the same and Mr. James Hagan

silson, Thurlo

466 Central of Georgia Railway Co. vs. John B. Gaston. Plaintiff in Error

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Robert E. Steiner, Mr. Leon Weil, Mr. J. M. Cunningham, Jr., Mr. A. R. Lawton and Mr. Horace Stringfellow, of counsel for the plaintiff in error, and Mr. A. M. Gaber and Mr. Samuel D. Weakley, of counsel for the defendant in error.

Silas Pickett, Plaintiff in Error, vs. The United States.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Harr, of counsel for the defendant in error. No counsel appeared for the plaintiff in error.

316. The United States, Appellant, vs. The American Tobacco Co. et al.

The American Tobacco Co. et al., Appellants, vs. The United States.

On motion of Mr. Attorney General Wickersham, of counsel for The United States, It is ordered that counsel be allowed twelve hours

316.	The United States, vs. Appellant, The American Tobacco Co, et al	The argument of these cases was commenced by Mr. J. C. McReynolds, of counsel for the United States.
317.	The American Tobacco Co, et al. vs. Appellants, The United States	

Proclamation being made, the Court is adjourned

Sunday. January 4th 1903

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry M. Goldfogle, it is ordered that Nathan Friedman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. Lawrence Groner, it is ordered that Harry K. Wolcott, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

half by Mr. W. L. Jones, it is ordered that Fred Miller, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Hornblower, it is ordered that Winthrop E. Dwight and Origen S. Seymour, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

420 John Hobson Nelson, Appellant, vs. The City of Murfreesboro et al. Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Tuesday, January 4th, 1910, continued.

	The United States,	The argument of these
316.	vs. Appellant,	cases was continued
	The American Tobacco	by Mr. J. C. McReynolds
	Co., et al.	of counsel for The United
	The American Tobacco	States, and Mr. De Lan-
	Co., et al,	cey Nicoll, of counsel for
317.	vs. Appellants,	The American Tobacco
	The United States	Company.

Proclamation being made the Court is adjourned

Wednesday, January 5th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas H. Clark, it is ordered that S. H. Dent, Jr., Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. L. Hamilton, it is ordered that Philip T. Colgrove, Esquire, of Hastings State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Edward L. Osborne and Joseph J. Slocum, Trustees &c., vs. Peter Froyseth. Plaintiffs in Error. 345.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. A. B. Browne, Mr. Alexander Britton and Mr. Evans Browne, of counsel for the plaintiffs in error, and Mr. C. A. Foenee, of counsel for the defendant in error.

The United States, Appellant, vs. The American Tobacco Co. et al. 316.

The American Tobacco Co. et al., Appellants, vs. The United States. 317.

The argument of these cases was continued by Mr. John G. Johnson, of counsel for The American Tobacco Company; Mr. William B. Hornblower, of counsel for the Imperial Tobacco Company, and Mr. S. C. W. Brock, of counsel for the United Cigar Stores Company.

Proclamation being made, the Court is adjourned

Thursday, January 6th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Herbert Noble it is ordered that David T. Marvel, Esquire, of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Launcelot Parker, it is ordered that Robert B. Newcomb, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. E. W. Martin, it is ordered that J. A. Laffey, Esquire, of Deadwood, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. U. Fletcher, it is ordered that P. A. ~~Vance~~ Vans Agnew, Esquire, of Kissimmee, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. J. Bowers, it is ordered that J. B. Sterling, Esquire, of Jackson, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. A. Hubbard, it is ordered that W. H. E. Boardman, Esquire, of Marshalltown, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Johnson, it is ordered that Cyrus G. Derr, Esquire, of Reading,

as an attorney and counsellor of this Court and he was sworn accordingly.

316 The United States, Appellant, vs. The American Tobacco Co. et al.
The American Tobacco Co., et al.,
317. Appellants vs. The United States.

The argument of these cases was concluded by Mr. Attorney General Wickersham, of counsel for the United States, and leave was granted counsel for all the parties to file additional briefs herein.

366. Frederick A. Peckham, Appellant, vs. William Henkel, U.S. Marshal, etc.
367. Moses Haas, Appellant, vs. William Henkel, U.S. Marshal, etc.

The argument of these cases was commenced by Mr. Nash Rockwood, of counsel for the appellants, and continued by Mr. Jesse C. Adkins, of counsel for the appellee.

Proclamation being made the Court is ad

Friday. January 7th. 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James A. Tawney, it is ordered that Leslie L. Brown, Esquire, of Winona, and John G. Skinner, Esquire, of Albert Lea, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Hart, it is ordered that W. D. Thomson, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

167. Edwin T. Mankin, et al., Co-partners, etc., et al., vs. Plaintiffs in Error; The United States for the use and benefit of Ludowici-Celadon Co., et al. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. C. V. Meredith, Mr. T. C. Catchings and Mr. C. W. Catchings, of counsel for the plaintiffs in error, and Mr. C. A. Alexander, of counsel for the defendant in error.

76. J. A. Hughes, vs. Plaintiff in Error; The Collin County National Bank. In Error to the Circuit Court of the United States for the District of Colorado.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

366.	Frederick A. Peckham, vs. Appellant. William Henkel, United States Marshal, etc.	The argument of these cases was continued by Mr. Jesse C. Adkins, of counsel for the appellee, and concluded by Mr. Henry E. Davis, of counsel for the appellants, and
367.	Moses Haas, vs. Appellant. William Henkel, United States Marshal, etc.	

leave was granted counsel on both sides to file additional briefs herein within one week.

368.	Theodore A. Price, vs. Appellant, William Henkel, United States Marshal, &c.	This cause was argued by Mr. DeLancey Nicoll, of counsel for the appellant, and Mr. Assistant Attorney General Fowler, of counsel for the appellee.
67	Mrs. Annie E. Penman, vs. Petitioner, St. Paul Fire & Marine Insurance Co.	The argument of this cause was commenced by Mr. A. J. Truitt, of counsel for the petitioner.

Proclamation being made, the Court is adjourned

Monday, January 10th. 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

Mr. Attorney General Wickersham addressed the Court as follows:

May it please the Court, I am requested by by the members of the bar of this Court to present for entry upon your records the resolutions recently adopted expressing their profound sorrow in the death of Mr. Justice Peckham and their sincere tribute to his high character and eminent service to the country. These resolutions are as follows:—

"Resolved, That the Bar of the Supreme Court of the United States deeply deplore the death of Rufus W. Peckham, Associate Justice of the Supreme Court, and desire to place upon re

in which Justice Peckham was held and of regret for the loss which the Court, the bar and the country have suffered in his untimely death.

For twenty four years he was an able and successful advocate at the bar of his native State of New York. For twelve years, by the election of his people, he was a member of the highest court of original jurisdiction and of the court of last resort of that State. For fourteen years he sat upon the bench of the Supreme Court of the United States. For a full half century he served the cause of justice without fear and without reproach. His learning and strong powers of reasoning preserved the standards of the law. His knowledge of affairs and the breadth and vigor of his sympathies with the life and men of his time saved his judgments from pedantry and made them effective instruments for the application of the old principles to new conditions. His published opinions constitute a substantial and valuable contribution to the development of American law. The virile and courageous independence of his strong character, its integrity and its purity, created and justified universal confidence in his judicial acts. The influence of his life and the effect of his work have contributed powerfully to promote that respect for law and for the courts of our country which underlies all of our institutions.

Resolved, That the Attorney General be requested

request that they be entered upon the records, and that the chairman of this meeting be directed to send to the family of the late Mr. Justice Peckham a copy of the resolutions and an expression of our sympathy for them in the loss which they have sustained."

These resolutions of the bar are intended in some measure, to express not alone the sense of personal bereavement which is so deeply felt by the immediate friends and associates of Mr. Justice Peckham, but a just and fitting estimate of his life and labors as they are known and esteemed by his countrymen.

The extent of the contribution to the work of this Court of a single member is as difficult of exact ascertainment as is his influence upon its judgments. Only as he speaks through the published opinions which he is directed to announce can the bar or the people know the extent or the character of his service. His devotion to the duties of his high place, his persuasive insistence upon the right as it is given him to see it, his painstaking industry, his aid in council, his personal characteristics,— all these are attributes which intimate friends may know, and which may be revealed now and again in the convincing earnestness of some striking opinion, but which have their full, free play only among his colleagues on the bench

services of Rufus Wheeler Peckham, it is not beyond the truth to say that in the period of his service on the bench no man contributed more than he to the learning and development of the law.

He came of a family of lawyers and judges. His father, his brother, his sons made this profession the work of their lives. Though the span of his own life was little beyond seventy years, more than half of it was devoted to the public administration of the law of his State or his country. Though the period of his service in this court was less than fifteen years, it is perhaps not too much to say that in no other period of our history has the jurisprudence of the country been more profoundly affected by the new conditions and the new problems that have arisen as incident to our national growth and development. It has been largely during these fifteen years that the graver questions involved in the effort of the National Government to cope with the great industrial problems arising out of our unexampled commercial expansion have found their way to this bench. It has been wholly within these fifteen years that our relations with foreign possessions and the interpretation of our laws for the government of alien peoples have been here debated and determined.

In this work Mr. Justice Peckham did his full share. No one can examine, even cursorily

decade and a half without being impressed by the tremendous volume of it which came from his hand and brain. In that time he wrote nearly four hundred opinions. They dealt with every aspect of the law. But more striking than the number is the fact that so many of them are today, and will ever remain the leading and familiar cases upon the great questions with which they dealt. No tribute to the life and work of Mr. Justice Peckham could find a higher sanction than the mere citation of his opinions in such cases as Maxwell v. Dow, Hopkins v. United States, the Addyston Pipe case, the Trans-Missouri and the Joint Traffic Association cases, Montague & Lowry, Lochner v. New York, Ex parte Young, which reveal his great learning and industry.

But we cannot garner up his work as men would bind the harvest of a season. It has enriched the whole field of our national jurisprudence, and for all time the yield will be the better for his labor.

If it please the Court I have the honor to move that the resolutions adopted by the bar be entered at large upon the records of this Court.

The Chief Justice responded:

The resolutions and the remarks by which they are accompanied will be spread upon our records as a deserved tribute to the memory of

Whatsoever things are true and honest, just and of good report, these are the things which the record of the life of Mr. Justice Peckham displays. Its most striking characteristic is the single mindedness of his devotion to judicial duty. It may be said of him as it was of Mr. Justice Story that "in all his commerce, and in his intercourse with the circle of his friends, the predominance of his judicial character was manifest." He discharged his judicial duties not as upon compulsion, but because he loved them. It ran in his blood, and he profoundly believed that justice was "the great interest of man on earth."

"As a man thinketh, so is he," and as this man was, so was his style, simple, forcible and direct. He aimed to do substantial justice in an intelligible way, dealing in no strained inferences, nor muddling definite results by qualifying his qualifications.

His opinions from the first in volume 160 of our reports to the last in volume 214 are all lucid expositions of the matter in hand, and many of them of peculiar gravity and importance for the establishment of governing principles. He sought to avoid the curse denounced on the removal of landmarks while meriting the blessing accorded to their wise replacement. His death is a serious

and to his country. I can not trust myself to speak of the love to his brethren of this lovable and beloved comrade. We can not but be exceeding sorrowful as we recall the touch of the vanished hand and the sound of the voice that is still. "Let us alone," sang the lotus-eaters, "what is it that will last?" We find the answer in the example of the distinguished, faithful, and thorough life which, "though the whole world turns to coal, then chiefly lives."

Mr. Elihu Root presented to the Court the resolutions adopted at a meeting of the members of the bar of the State of New York in memory of Mr. Justice Peckham, and it was ordered that they be placed on file.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler it is ordered that Richard B. Montgomery, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Brandenburg, it is ordered that Samuel Leoville, Jr., Esquire, of Philadelphia, State of Pennsylvania, be admitted to

The Interstate Commerce Commission, Appellant, vs. The Illinois Central Railroad Company. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

233.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Mr. Justice White.

Dissenting:
Mr. Justice Brewer.

The Interstate Commerce Commission, Appellant, vs. Chicago & Alton Railroad Co. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

232.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and

of this court here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity to the opinion of this Court

- per Mr. Justice White.

Dissenting:
Mr. Justice Brewer.

The Baltimore & Ohio Railroad Co., Fairmont Coal Co. et al., Plaintiffs in Error, vs. United States of America ex rel. Piteairn Coal Co. et al. — In Error to the United States Circuit Court of Appeals for the Fourth Circuit

289.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgments of the said United States Circuit Court of Appeals in this cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Maryland with directions to set aside its judgment and enter judgment dismiss-

Dissenting:
Mr. Justice Harlan
Mr. Justice Brewer.

John F. Haffner, Appellant,
vs. Appeal from the
Michael Dobrinski Supreme Court of the
and Henry Shultz Territory of Oklahoma

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby remanded to the Supreme Court of the State of Oklahoma.

Per Mr. Chief Justice Fuller.

Order.

There having been an Associate Justice of this Court appointed since the commencement of this term, It is ordered, That the following allotment be made of the Chief Justice and Associate Justices of this Court among the Circuits, agreeably to the Act of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Oliver Wendell Holmes Associate Justice.

For the Second Circuit, Horace H. Lurton, Associate Justice,

For the Third Circuit, William H. Moody, Associate Justice

For the Fifth Circuit, Edward D. White, Associate Justice.
For the Sixth Circuit John M. Harlan, Associate Justice.
For the Seventh Circuit William R. Day, Associate Justice
For the Eighth Circuit, David J. Brewer, Associate Justice.
For the Ninth Circuit, Joseph McKenna, Associate Justice.

-per Mr. Chief Justice Fuller

Order

It is ordered by the Court, that Section 7 of Rule 24 be, and the same is hereby, amended so as to read as follows:

"For preparing the record or a transcript thereof for the printer, indexing the same, supervising the printing and distributing the printed copies to the Justices, the Reporter, the Law Library, and the parties or their counsel, fifteen cents per folio, but when the necessary printed copies of the record, as printed for the use of the lower court, shall be furnished, the fee for supervising shall be five cents per folio."

"For every printed copy of any opinion of the Court or any Justice thereof, certified under seal, two dollars."

-per Mr. Chief Justice Fuller

9.	Rumford Chemical Works, vs. Petitioner	On consideration of the motion to reopen the proofs in these cases in the United States Circuit Courts, and of the argument of counsel
121.	Hygienic Chemical Co. Hygienic Chemical Co., of New York et al., vs. Petitioners, Rumford Chemical Works	

thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

195.	Frederick Weyerhaeuser et al., vs. Appellants, Herbert H. Hoyt.	On consideration of the motion to advance this cause for argument with case

No. 176, as one case, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

207.	Missouri, Kansas & Texas Railway Co. vs. Plaintiff in Error, J. B. Blackley.	It is ordered by the Court that the further consideration of the motion to dismiss or af-

firm in this cause be, and the same is hereby,

the merits.

per Mr. Chief Justice Fuller.

Liverpool & London & Globe Insurance Co., of New York,
282. vs. Plaintiff in Error
The Board of Assessors of the Parish of Orleans et al.

On consideration of the motion to advance this cause It is now here ordered by the Court that said motion be, and the same is hereby denied

per Mr. Chief Justice Fuller.

Pere Alfredo Luis Baglin et al.,
291. vs. Appellants,
Luzenier Company

It is ordered by the Court that the further consideration of the petition for a supplemental writ of certiorari herein be, and the same is hereby, postponed to the hearing of this case on the merits.

per Mr. Chief Justice Fuller.

The United States,
316. vs. Appellant,
The American Tobacco Co., et al.
The American Tobacco Co., et al.,
317. vs. Appellants

On consideration of the petitions of W. Bourke Cockran, and Thomas Thacher and J. Parker Kirlin, respectively, for leave to file printed briefs herein, It is now

Court that leave be, and the same is hereby, granted to file said briefs as amici curiae instanter.

-per Mr. Chief Justice Fuller.

630 John L. McClellan et al., Petitioners vs. John E. Carland, U.S. District Judge, etc. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 24, 1910.

-per Mr. Chief Justice Fuller.

700 Northern Pacific Railway Co., Plaintiff in Error, vs. Bessie Babcock, as Administratrix, etc. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 11th. 1910, after the cases heretofore assigned for that day.

-per Mr. Chief Justice Fuller.

712 The Steamship "Folmina", William Van Eyken, Claimant, vs. Petitioner, Gustave A. Jahn and William Griffiths, composing the firm of Gustave A. Jahn & Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

723 Orient Insurance Co. et al., vs. Plaintiffs in Error, The Board of Assessors of the Parish of Orleans et al. — On consideration of the motion to advance the cause for argument with No. 282 as one case, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Monday, January 10th, 1910, continued.

539.	The United States, Plaintiff in Error, vs. The American Bonding Co. of Baltimore.	On motion of Mr Solicitor General Bowers, of counsel for the plaintiff in error, leave is hereby granted the clerk to issue the mandates in these cases.
540.	The United States, Plaintiff in Error, vs. Rudolph Aman.	
716.	Westinghouse Electric & Manufacturing Co., Petitioner, vs. The Wagner Electric Manufacturing Co.	The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Paul Bakewell and Mr. Thomas B. Kerr in support of the same.
586.	Harry Haynes, Petitioner vs. The Baltimore & Ohio Railroad Co., et al	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Orville S. Brumback in support of the same, and Mr. F. A. Durban in opposition thereto.
701.	Metropolitan Life Insurance Co., Petitioner. vs. Eliza A. Williamson	The petition for a writ of certiorari herein was submitted to the consideration

W. G. M. Thomas and Mr. Richard W. Walker in support of the same.

411. Victor Fraindl et al., vs Appellants, Manuel Loucedo et al. This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record and a printed argument by Mr. George A. Lamar and Mr. N. B. K. Pettingill of counsel for the appellants, with leave to counsel for the appellee to file a brief on or before the 17th instant

408. Robert H. Todd, vs. Appellant, Higinio Romeu This cause was submitted to the consideration of the Court, pursuant to the 20 th rule, on the record and a printed argument by Mr. N. B. K. Pettingill, of counsel for the appellant with leave to counsel for the appellee to file a brief on or before the 17th instant

206 K. K. Knapp, as Trustee &c., vs. Appellant. The Milwaukee Truck Co., as Trustee, &c., et al. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. William D. Haynie, of counsel for the appellants and Mr. George D. Miller and Mr. Ed.

1193 Grenada Lumber Co., et al., Plaintiffs in Error, vs. The State of Mississippi. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Edward Mayes and Mr. L. D. Joslyn, of counsel for the plaintiffs in error, and Mr. J. B. Stirling, of counsel for the defendant in error.

67 Mrs. Annie E. Penman, Petitioner, vs. St. Paul Fire & Marine Insurance Co. The argument of this cause was continued by Mr. A. J. Truitt, of counsel for the petitioner, and concluded by Mr. William D. Mitchell, of counsel for the respondent.

68 J. H. Friday et al., Petitioners, vs. Hall & Kaul Company. This cause was argued by Mr. A. J. Barron, of counsel for the petitioners, and Mr. George L. Roberts, of counsel for the respondent.

Proclamation being made, the Court is adjourned

Tuesday, January 11th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices.
John M. Wright, Esqr., Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

International Text Book Co., Plaintiff in Error,
vs.
Carl Peterson.
80

On motion of Mr. E. S. McCalmont, in behalf of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed temporarily.

Guillermo Alvarez y Sanchez, Appellant,
vs.
The United States.
69

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. Mal-

Tuesday, January 11th, 1910, continued.

Mr. Franklin W. Collins of counsel for the appellee

William A. Wright, Comptroller General of the State of Georgia et al., Appellants, vs. Georgia Railroad & Banking Co.

The argument of this cause was commenced by Mr. Samuel A. Sibley, of counsel for the appellants; continued by Mr. Joseph B. Cumming and Mr. Joseph R. Lamar, of counsel for the appellee, and concluded by Mr. John C. Hart, of counsel for the appellants.

Proclamation being made the Court is adjourned

Wednesday, January 12th, 1910

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas H Carter, it is ordered that Thomas S. Martin, Esquire, of Charlottesville, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. J. Bowers it is ordered that Edward M. Watson Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Edgar Allan Poe, it is ordered that Sylvan Hayes Lauchheimer and Oscar Leser, Esquires, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

No. 71. Daniel F. Blake, Trustee &c., vs. William Openhym & Sons, Appellant. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edwin A. Krauthoff and Mr. Alexander New, of counsel for the appellant, and Mr. Benjamin N. Cardozo, of counsel for the appellees.

No. 74. George E. Zartman, Trustee &c., vs. The First National Bank of Waterloo, New York, Plaintiff in Error. This cause was argued by Mr. George E. Zartman, of counsel for the plaintiff in error, and Mr. W. A. Sholes, of counsel for the defendant in error.

No. 75. The Hannis Distilling Co., vs. The Mayor and City Council of Baltimore, Plaintiff in Error. This cause was argued by Mr. Shirley Carter, of counsel for the plaintiff in error, and Mr. Edgar Allan

Sylvan Hayes Lauchheimer and

[illegible] proclamation being made, the Court is [illegible] until tomorrow, at 12 o'clock.

Thursday, January 13th, 1910.

Pursuant to adjournment, this Court met today at the Capitol.

Present:

The Honorable John M. Harlan
David J. Brewer
Edward D. White — Associate
Joseph McKenna — Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Thomas S. Martin, it is ordered that Daniel Harmon, Esquire, of Charlottesville, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Augustus O. Bacon, it is ordered that D. A. R. Crum, Esquire, of Cordele, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Joseph A. Minturn, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank J. Hogan it is ordered that Jesse A. Steinhardt, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monserrate Garcia Martin et al.,
vs. Appellants.
40 Ricardo Vela et al.
Beatriz de los Angeles, widow &c.,
vs. Appellant,
245 Monserrate and Dominga Garcia Martin et al.

On motion of Mr. George A. Lamar, in behalf of counsel, It is ordered by the Court that these cases be and the same are hereby passed subject to the provisions of section 9, rule 26.

The United States,
vs. Appellant.
551 Oberlin M. Carter et al.
Oberlin M. Carter et al.,
vs. Appellants,
552. The United States.

On motion of Mr. Marion Erwin, of counsel for The United States, It is ordered by the Court that one hour additional time be allowed each side for

	The United States,	The argument of these
551.	vs. Appellant,	cases was commenced
	Oberlin M. Carter et al.	by Mr. Marion Erwin,
	Oberlin M. Carter et al.	of counsel for the United
552.	vs. Appellants,	States, and continued
	The United States.	by Mr. Horace G. Stone
		and Mr. Joseph B.

Foraker, of counsel for Carter et al.

Proclamation being made, the Court is adjourned

Friday, January 14th, 1910.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal.
James A. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Marshall McLean, it is ordered that Harry W. Hayward, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Campbell, it is ordered that William L. Cunningham, Esquire, of Arkansas City; Frederick B. Wheeler, Esquire, of Pittsburg, and Stephen A. Allen, Esquire, of Topeka, State of Kansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Friday, January 14th, 1910 continued

On motion first made to the Court in this behalf by Mr. L. C. Boynton, it is ordered that James Francis Peck, Esqre, of Berkeley, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	The United States,	The argument of these cases was
551	vs. Appellant,	continued by Mr.
	Oberlin M. Carter et al.	Joseph B. Foraker,
	Oberlin M. Carter et al.,	of counsel for
552	vs. Appellants,	Carter et al., and
	The United States.	concluded by Mr.

Marion Erwin, of counsel for The United States.

	Lyda B. Conley,	Lyda B. Conley, the
77	vs. Appellant.	appellant, suggest-
	James R. Garfield,	ed the resignation
	Secretary of the Interior,	of James R. Garfield
	et al.	and the appointment

of Richard A. Ballinger as Secretary of the Interior, and moved the Court to make the said Richard A. Ballinger, Secretary of the Interior, a party appellee in this cause. Whereupon, It is now here ordered by the Court that the said Richard A. Ballinger, Secretary of the Interior, be and he is hereby, made a party

77. Lyda B. Conley, Appellant, vs. Richard A. Ballinger, Secretary of the Interior, et al. This cause was argued by Lyda B. Conley in propria persona, and submitted on a printed argument by Mr. Solicitor General Bowers and Mr. Barton Conway of counsel for the appellees.

79 Cincinnati, New Orleans & Texas Pacific Railway Co., Plaintiff in Error, vs. J. Slade and E. M. Pluss as Pluss & Slade. This cause was argued by Mr. D. A. R. Crum, of counsel for the plaintiff in error, and Mr. Joseph T. Hill of counsel for the defendants in error.

Proclamation being made the Court is adjourned

Monday, January 17th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Charles E. McNabb, Esquire, of Washington, District of Columbia, and John B. Sanborn, Esquire, of Madison, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert J. Galen, it is ordered that Edwin L. Norris, Esquire, of Helena, State of Montana be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday, January 17th. 1910, continued.

On motion first made to the Court in this behalf by Mr. A. H. Jones, it is ordered that Richard H. Hanna, Esquire, of Santa Fe, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jackson H. Ralston, it is ordered that John G. White, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that John J. McCurdy, Esquire, of Lincoln, State of Nebraska, and John M. Kirk, Esquire, of Butte, State of Montana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank J. Bright, it is ordered that Frank H. Sullivan, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Edwin T. Mankin and Henry N. Magee, Copartners, doing business under the firm name of Mankin Construction Co., et al.,

167. vs. Plaintiffs in Error,

The United States for the use and benefit of Ludowici-Celadon Co., J. L. Mott Iron Works and The N. O. Nelson Manufacturing Co.

In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Mississippi.

Per Mr. Justice Day.

Edward Brill, Amelia Brill Riddle and Frank Fisher, Executors of John A. Brill, deceased, and The J. G. Brill Co., Appellants, vs. The Washington Railway & Electric Co. — Appeal from the Court of Appeals of the District of Columbia.

No. 66

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice McKenna.

The State of North Dakota ex rel. R. E. Flaherty, Plaintiff in Error, vs. O. G. Hanson, Sheriff of the County of Grand Forks, State of North Dakota. — In Error to the Supreme Court of the State of North Dakota.

No. 117

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the

same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice White.

Dissenting:
Mr. Chief Justice Fuller
Mr. Justice McKenna
Mr. Justice Holmes

351. The Macon Grocery Co., A. B. Small Company, Adams Brothers Co., et al., Appellants, vs. Atlantic Coast Line Railroad Company, Louisville & Nashville Railroad Co., et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Georgia.

Dissenting:
Mr. Chief Justice Fuller
Mr. Justice McKenna
Mr. Justice Holmes.

The Western Union Telegraph Co., Plaintiff in Error
vs. In Error to the
The State of Kansas on the re- Supreme Court
lation of C. C. Coleman, Attorney of the State of
General. Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for such proceedings as may be consistent with the opinion of this Court.

per Mr. Justice Harlan.

Dissenting:
Mr. Justice Holmes
Mr. Chief Justice Fuller
Mr. Justice McKenna.

No. 725. Standard Oil Co., et al., Appellants, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, March 14, 1910, after the cases heretofore assigned for that day.

719. Westinghouse Electric & Manufacturing Co., Petitioner. vs. Wagner Electric Manufacturing Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

586. Harry Haynes, Petitioner. vs. The Baltimore & Ohio Railroad Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

(Mr. Justice Lurton did not participate in the disposition of this petition.)

701 Metropolitan Life Insurance Co. vs. Eliza A. Williamson. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

710 John R. Walsh, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

732. Trice-Breslin Co., vs. Petitioner William Bergan et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Roger Foster in support of the same, and Mr. Ira Jewell Williams and Mr. Frank R Chadwick in opposition thereto.

658. Commercial Union Assurance Co, Limited, of London, England, vs. Petitioner, The Richmond Coal Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Walter Davidge and Mr. T. C. Van Nest in support of the same, and Mr. Emery A. Sykes in opposition thereto. On motion of Mr. John Spalding Flannery leave was granted to Mr. E. S. Pillsbury and Mr. William A. Maury to file a printed brief herein as amici curiae

414 The Buck's Stove & Range Co., vs. Appellant, The American Federation of Labor et al.

685 Samuel Gompers et al., vs. Petitioners The Buck's Stove & Range Co. The American Federation of Labor et al

Mr. J. J. Darlington, of counsel for The Buck's Stove & Range Co., submitted to the consideration of the

tion to consolidate and advance these cases.

736	Thomas Franklin, vs The United States	Plaintiff in Error

Mr. A. B. Duvall, in behalf of counsel for the plaintiff in error submitted to the consideration of the Court a motion for the admission of the plaintiff in error to bail pending the determination of this case. Mr Solicitor General Bowers, of counsel for the defendant in error, submitted to the consideration of the Court a suggestion that the motion for bail be postponed until the submission of a proposed motion to dismiss.

81	Emilie Saxlehner, vs Edward Wagner et al	Petitioner,

The argument of this cause was commenced by Mr. Antonio Knauth of counsel for the petitioner; continued by Mr. Wallis F. Murray, of counsel for the respondents, and concluded by Mr. John G. Johnson, of counsel for the petitioner.

86	Central Trust Co., vs Central Trust Co. of Illinois et al	Appellant.

The argument of this cause was commenced by Mr. W. H. Sears, of counsel for the appellant, and continued by Mr. Max Pam, of counsel for the appellees.

Tuesday, January 18, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. W. B. Heyburn it is ordered that James M. Shoup, Esquire, of Juneau, Territory of Alaska, and Walter L. Shoup, Esquire, of Salmon City, and Edwin A. Snow, Esquire, of Boise, State of Idaho, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Merrick Morris, it is ordered that Anthony Deahl, Esquire, of Goshen, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Jones, it is ordered that W. P. Guchrie, Esquire, of Twin Falls, and C. A. Lingenfelter, Esquire, of Boise, State of Idaho be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. A. P. Pujo, it is ordered that A. R. Mitchell, Esquire, of Lake Charles, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Wilson, it is ordered that Cornelius J. Doyle, Esquire, of Greenfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James R. Mann, it is ordered that Frank A. Helmer, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W. N. Sears, it is ordered that John Henry Bailey Jr., Esquire, of Salt Lake City, State of

counsellor of this Court, and he was sworn accordingly.

175. Cudahy Packing Co., vs. Plaintiff in Error, The State of Minnesota. In Error to the Supreme Court of the State of Minnesota

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

86. Central Trust Co., vs. Appellant Central Trust Co., of Illinois et al

Mr. Max Pam, of counsel for the appellees, suggested the resignation of Fred A. Busse and the appointment of Daniel A. Campbell as his successor as postmaster at the City of Chicago, Illinois, and moved the Court to make the said Daniel A. Campbell as such postmaster a party appellee in this cause in place of the said Fred A. Busse. Whereupon, It is now here ordered by the Court that the said Daniel A. Campbell as postmaster at the City of Chicago, Illinois, be, and he is hereby, made a party appellee in this cause.

Tuesday, January 18th, 1910, continued.

86. Central Trust Co., vs. Appellant, Central Trust Co., of Illinois et al.

The argument of this cause was continued by Mr. Max Pam, of counsel for the appellees and concluded by Mr. W. H. Sears, of counsel for the appellant.

87. Otis W. Kenyon, vs. Plaintiff in Error, Albert P. Fowler, Receiver, etc.

This cause was argued by Mr. Dorr Raymond Cobb, of counsel for the plaintiff in error, and Mr. Leonard C. Crouch, of counsel for the defendant in error.

88. The Tokaway Hotel Co., vs. J. L. Smathers & Co. et al.

This cause was submitted to the consideration of the Court on the certificate and printed arguments by Mr. Theodore F. Davidson, Mr. Louis M. Bourne, Mr. John M. Slaton and Mr. Benjamin Z. Phillips, of counsel for The Tokaway Hotel Company, and Mr. Julius C. Martin, of counsel for J. L. Smathers & Company et al.

89. Rickey Land & Cattle Co., vs. Petitioner, Miller & Lux.

94. Rickey Land & Cattle Co., vs. Petitioner, Henry Wood et al.

The argument of these cause was commenced by Mr. Charles C. Boynton, of counsellor for the petitioner, and continued by Mr. A. B. Browne, of counsel for

Tuesday, January 18th, 1910, continued

James F. Peck, of counsel for the petitioner.

Proclamation being made the Court is adjourned

Wednesday, January 9th, 1907.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Homer Hall, Esquire, of Trenton, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Bergen, it is ordered that John R. Hardin, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Cyrus Cline, it is ordered that Dan W. Simms, Esquire, of Lafayette, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester M. Pratt, it is ordered that Claude L. Allen, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that A. T. Mowatt, Esquire, of Okolona, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

Woodward Carriage Co., The Dallas Coffin Co., R. C. Shanstel and Sedbury Lumber Co.,
vs. Appellants,
Pitts Livery Co., John J. Jones, S. A. Pitts and W. B. Shanstel.

Appeal from the District Court of the United States for the Western District of Texas.

It appearing to the court that counsel for the appellants a motion by appellants to dismiss this appeal has been filed. Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

89. Rickey Land & Cattle Co.,
vs. Petitioner
Miller & Lux.

Rickey Land & Cattle Co.,
vs. Petitioner,
Henry Wood et al.

The argument of these cases was concluded by Mr. James F. Pierce, of counsel for the petitioner, and leave was granted counsel for the respondents to file an additional brief herein on or before Friday next.

The President, Managers and Company of the Monongahela Bridge Co.,
vs. Plaintiffs in Error

This cause was argued by Mr. D. T. Watson, of counsel for the

Wednesday, January 19th, 1910, continued.

and Mr. Solicitor General Bowers, of counsel for the defendant in error.

92. The William Cramp & Sons Ship and Engine Building Co., Appellant, vs. The United States.

The argument of this cause was commenced by Mr. James H. Hayden, of counsel for the appellant.

Proclamation being made the court is adjourned

Thursday, January 20th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in that behalf by Mr. Henry H. Gilfry, it is ordered that George E. Chamberlain, Esquire, of Portland, State of Oregon, and Ralph B. Wilkinson, Esquire, of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oscar Luckett, it is ordered that W. Morgan Shuster, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E Richardson, it is ordered that Leavitt J. Hunt, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Dodge, it is ordered that Eugene G. Macon, Esquire, of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Robert Earl Kerfoot, Plaintiff in Error,
vs.
The Farmers and Merchants Bank et al.

No. 97.

Mr. Frederick S. Tyler in behalf of counsel for the defendants in error, submitted to the consideration of the Court a suggestion of the death of J. A. Patton, Curator, one of the defendants in error herein, and a motion to continue the cause to the next term. Mr. Homer Hall, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for the appointment of a guardian ad litem for Lester R. Kerfoot, minor, one of the defendants in error herein

The William Cramp & Sons Ship and Engine Building Co., Appellant, vs. The United States. The argument of this cause was continued by Mr. James H. Hayden, of counsel for the appellant and Mr. Assistant Attorney General John L. Thompson and Mr. Franklin W. Collins, of counsel for the appellee, and concluded by Mr. James H. Hayden, of counsel for the appellant.

92.

N. Mayo Dyer, Plaintiff in Error, vs. The City of Melrose. This cause was argued by Mr. Chester M. Pratt, of counsel for the plaintiff in error, and Mr. Claude L. Allan, of counsel for the defendant in error.

93.

The United States, Plaintiff in Error, vs. A. P. Plowman. The argument of this cause was commenced by Mr. Assistant Attorney General Harr, of counsel for the plaintiff in error.

96.

Proclamation being made the Court is adjourned

Friday January 21st, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright. Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Cummins, it is ordered that Charles Willner, Esquire, of Burlington, State of Iowa, and Philip E. Elting, Esquire, of Macomb, and Edwin Gerard Lancaster, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. P. Campbell, it is ordered that Charles W. Smith, Esquire, of Stockton, State of Kansas, be admitted to practice as an attor-

sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Edgar Smith, it is ordered that Roy F. Britton, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that George E. Hurd, Esquire, of Glasgow, State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Borah, it is ordered that Daniel C. McDougall, Esquire, of Boise, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melvin Grigsby, it is ordered that George B. Grigsby Esquire, of Nome, Territory of Alaska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

96. The United States, Plaintiff in Error, vs. K. P. Plowman — The argument of this cause was concluded by Mr. Assistant Attorney General Harr[illegible] of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

53. C. M. Pendleton, Plaintiff in Error, vs. The United States — The argument of this cause was commenced by Mr. James A. Blount of counsel for the plaintiff in error; continued by Mr. Assistant Attorney General Russell, of counsel for the defendant in error, and concluded by Mr. Henry E. Davis, of counsel for the plaintiff in error.

97. Maria Berger, Plaintiff in Error, vs. Will Tracey et al. — This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Chester C. Cole, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

45. W. P. Harris, Trustee, &c., Plaintiff in Error, vs. The First National Bank of Mount Pleasant, Texas. — This cause was argued by Mr. W. L. Estes of counsel for the defendant in error, and submitted on a printed argument by Mr. Chester

Friday, January 21st, 1910, continued

108	Laurel Hill Cemetery, vs. Plaintiff in Error, The City and County of San Francisco et al. Plaintiff in error.	The argument of this cause was commenced by Mr. Thomas E. Haven, of counsel for the

Proclamation being made, the Court is adjourned

Monday, January 24th 1898

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Edwin Denby, it is ordered that Wade Millis, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. P. Campbell, it is ordered that Malcolm B. Nicholson, Esquire, of Council Grove, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Alfred P. Thom, it is ordered that Eppa Hunton, Jr., Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Dick, it is ordered that Edmund B. King, Esquire, of Sandusky, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Conrad H. Syme, it is ordered that Lucien W. Prescott, Esquire, of Salem, State of Oregon; Charles Harris Luscomb and Read Gordon Dilworth, Esquires, of New York City, and James W. Biller and Henry G. Thomas, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George T. Simpson, it is ordered that C. Louis Weeks, Esquire, of Minneapolis State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert Parsons, it is ordered that L. H. F. Betts, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy F. Britton, it is ordered that Charles Cummings Collins and Clifford B. Allen, Esquires, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that Guy J. Ray and Harry P. Sneed, Esquires, of New Orleans, State of Louisiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. J. Stone, it is ordered that Thomas F. Gatts, Esquire, of Hannibal, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Frederick J. Lowrey, George P. Castle, and William O. Smith, Trustees. Appellants. vs. The Territory of Hawaii. Appeal from the Supreme Court of the Territory of Hawaii.

469

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter judgment for appellants as prayed for.

Per Mr. Justice McKenna.

(Mr. Justice Brewer took no part in the decision of this cause.)

Solomon R. Wagg, Appellant, vs. Mary B. Hubert, Leroy M. Brown, John P. Rockefeller et al. Appeal from the Supreme Court of the Territory of Oklahoma.

24

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the

hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Oklahoma.

per Mr. Justice Brewer.

26. The Old Nick Williams Co., Petitioner vs. The United States — On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of North Carolina.

per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court will take a recess from Monday, January 31, to Monday, February 21.

414. The Buck's Stove & Range Co., Appellant, vs. The American Federation of Labor et al.

685 Samuel Gompers et al., Petitioners vs. The Buck's Stove & Range Co.

720 The American Federation of Labor et al., Appellants, vs. The Buck's Stove & Range Co.

On consideration of the motion to consolidate and advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on Tuesday, October 11th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

658. Commercial Insurance Co., Limited, of London, England, Petitioner, vs. Richmond Coal Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, & well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

732. Trice Brslin Co., Petitioner vs. William Bergan and John A. Snyder. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

736. Thomas Franklin, Plaintiff in Error, vs. The United States. On consideration of the motion to admit the plaintiff in error to bail pending the determination of the writ of error. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the plaintiff in error will be admitted to bail upon giving bond in the penal sum of $10,000, conditioned according to law, and approved by the District Judge for the Southern District of New York.

Per Mr. Chief Justice Fuller.

No. 57. Otis W. Kenyon, Plaintiff in Error, vs. Albert P. Fowler, as Receiver of the American Exchange National Bank of Syracuse. In Error to the United States Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of New York.

Per Mr. Chief Justice Fuller.

No. 93. N. Mayo Dyer, Plaintiff in Error, vs. The City of Melrose. In Error to the Supreme Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is hereby ordered and adjudged by this Court

this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Maria Berger,
vs. Plaintiff in Error,
Will Tracy, Frank Heiler, and John Streile, Trustees in and for Brandon Township, Jackson County, Iowa.

97. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The United States,
vs. Plaintiff in Error,
Charles S. Sargent.

336. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Bowers, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged

cause be, and the same is hereby, dismi

per Mr. Chief Justice.

535. The United States, vs. Charles S. Sargent. — On motion o Solicitor Gen Bowers of cou the plaintiff in leave is hereby granted the clerk to issue mandate in this cause.

547. The United States, vs. The Terminal Railroad Association of St. Louis et al — Mr. Solicitor Bowers, of co for The Unite submitted to consideratio the Court a motion to dismiss the certifica herein.

748. The United States, Petitioner, vs. J. R. Simon & Co. — The petition for c of certiorari here was submitted t consideration of Court on printed arguments by Mr. Soli General Bowers and Mr. Assistant Atto General Lloyd in support of the same, a Howard T. Walden, Mr. Henry J. Webster Mr. W. Wickham Smith in opposition th

748 The United States, Petitioner, vs. Leopold Baruch. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Bowers and Mr. Assistant Attorney General Lloyd in support of the same, and Albert H. Washburn in opposition thereto—

750 Fred Anderson vs. The United States. Plaintiff in Error, Mr. Solicitor General Bowers, of counsel for the defendant in error, having filed in open court the following certificate, to wit:

"District Court of the United States.
For the District of Minnesota, Sixth Division.

I, Charles L Spencer, Clerk of the District Court of the United States for the District of Minnesota, Sixth Division, do hereby certify, that in a certain cause pending in said Court, wherein The United States was plaintiff, and Fred Anderson was defendant, a final judgment was rendered by said Court on the 22nd day of November, A. D. 1909, in favor of the said plaintiff, and against the said defendant, and that on the 22nd day of November, A. D. 1909, said defendant sued out a writ of error to said District Court, directed to remove said cause to the Supreme Court of the United

In testimony whereof, I hereunto subscribe my name and affix the seal of said District Court, at Fergus Falls, Minnesota, this 11th day of January, A. D. 1910.

Seal.

Charles L. Spencer,
Clerk."

and moved the Court to docket and dismiss this cause pursuant to the 9th rule, and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the District Court of the United States for the District of Minnesota be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said District Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

750 Fred Anderson, Plaintiff in Error, vs. The United States.

On motion of Mr. Solicitor General Bowers, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Buck Stove & Range Co. et al.,
171. vs. Plaintiffs in Error.
C. C. Vickers et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr P. P. Campbell, Mr. Stephen A. Allen and Mr. Robert Stone in support of the same, and Mr. Seneca N. Taylor in opposition thereto—

Henry C. Thomas,
730 vs. Petitioner.
Florence Hunt De Winter et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Conrad H. Syme and Mr. J. W. Beller in support of the same, and Mr. P. H. Marshall in opposition thereto—

Stella P. Flint as General Guardian &c.,
747. vs. Appellant.
Stone Tracy Co., et al

Mr. Maxwell Evarts, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Virginia Passenger & Power Co., et al.,
746. vs. Petitioners.
Lacy Brothers Co

The petition for a writ of certiorari herein was submitted to the consideration of the

guments by Mr. Eppa Hunton, Jr. and Mr. Henry W. Anderson in support of the same, and Mr. Thomas S. Martin in opposition thereto

The Commissioners of Lincoln Park, Petitioner. vs. Westinghouse Co. of America

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Eugene C. Mason and Mr. William R. Rummler in support of the same, and Mr. Walter H. Chamberlain in opposition thereto

1063/107 Hawaiian Trust Co. (Limited) et al., Executors &c., Appellants, vs. Heinrich Martens von Holt et al., Trustees

Mr. A. B. Browne, of counsel for the appellants, suggested the death of Joseph O. Carter, and the appointment of Albert N. Campbell, as his successor as trustee, and moved the Court to make the said Albert N. Campbell, Trustee, a party appellee in these cases. Whereupon, It is now here ordered by the Court that the said Albert N. Campbell, as Trustee, be, and he is hereby made a party appellee in these cases in place of the said Joseph O. Carter.

744. Stella P. Flint as General Guardian, &c., vs. The Stone Tracy Co., et al, Appellant.

Mr. Solicitor General Bowers submitted to the consideration of the court a motion for leave to counsel for The United States to file a printed brief and make oral argument in this cause.

Ex parte: In the matter of Arthur Hewett and Tom A. Keating, Original Petitioners.

Mr. Thomas F. Gatts, of counsel for the petitioners, submitted to the consideration of the court a motion for leave to file a petition for a writ of habeas corpus herein, and leave was granted Mr. Solicitor General Bowers to file a brief in opposition thereto within three days.

109. J. M. Staneliff and Francis R. Brennan, partners, &c., vs. Charlie Fox and J. A. Dickman, Appellants.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now

hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

100. Laurel Hill Cemetery vs. City and County of San Francisco et al. Plaintiff in Error, The argument of this cause was continued by Mr. Thomas E. Haven, of counsel for the plaintiff in error, and Mr. Jesse E. Steinhart, of counsel for the defendants in error, and concluded by Mr. Thomas E. Haven, of counsel for the plaintiff in error.

101. Sutcher & Moore Lumber Co. et al., vs. William H. Knight et al. Petitioners, This cause was argued by Mr. A. P. Pujo, of counsel for the petitioners, and Mr. M. J. Cunningham, of counsel for the respondents.

Proclamation being made, the Court is adjourned

Tuesday, January 25th 1910

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Henry M. Goldfogle it is ordered that Rudolph Marks, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Robert M. La Follette, it is ordered that August C. Backus, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Tuesday, January 25th, 1910, continued.

102 John A. Olmsted et al., Plaintiffs in Error, vs. Daniel A. Olmsted et al. This cause was argued by Mr. Mortimer W. Byers, of counsel for the plaintiffs in error, and Mr. Charles A. Luscomb and Mr. Reed G. Dilworth, of counsel for the defendants in error.

103 The J. J. McCaskill Co., Appellant, vs. The United States. This cause was argued by Mr. William W. Flournoy, of counsel for the appellant, and Mr. Assistant Attorney General Russell, of counsel for the appellee.

104 J. W. Forbes et al., Plaintiffs in Error, vs. The State Council of Virginia, Junior Order United American Mechanics of the State of Virginia. The argument of this cause was commenced by Mr. C. V. Meredith of counsel for the plaintiffs in error. The court declined to hear further argument.

105 Alfred Dozier, Plaintiff in Error, vs. The State of Alabama. This cause was submitted to the consideration of the court on the record and printed arguments by Mr. A. D. Leigh, of counsel for the plaintiff in error, and Mr. Alexander M. Garber, of counsel for the defendant in error.

631	John L. McClellan et al., Petitioners vs. John E. Carland, United States District Judge &c.	The argument of this cause was commenced by Mr. Melvin Knigsby, of counsel for the petitioners, and continued by Mr. Frederic D. McKinney, of counsel for the respondent

Proclamation being made, the court is adjourned

Wednesday, January 26th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
} Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. J. McCabe, it is ordered that W. Emmet Crosby, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

105. Alfred Dozier, Plaintiff in Error, vs. The State of Alabama.

On motion of Mr. A. D. Gash, of counsel for the plaintiff in error, leave is hereby granted him to file a reply brief herein within fifteen days.

Rachel A. Richardson, claiming to be Rachel A. Brown, vs. Plaintiff in Error, Mary S. Reeve and Benjamin H. Schwartz. In Error to the Court of Appeals of the District of Columbia

693

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

John C. McClellan et al., vs. Petitioners, John E. Carland, United States District Judge, &c. The argument of this cause was continued by Mr. Frederic D. McKenney, of counsel for the respondent, and concluded by Mr. Melvin Grigsby, of counsel for the petitioners, and leave was granted counsel for the respondent to file a printed brief herein.

631

Hawaiian Trust Co. Limited, et al., Executors. vs. Appellants Heinrich Martens von Hoff

These cases were argued by Mr. A. B. Browne, of counsel for the appellants,

1068/107

Wednesday, January 26th. 1910, continued

Watson, of counsel for the appellees.

108. William W. Withnell vs. William R. Buck Construction Co., et al. Appellant. This cause was argued by Mr. Clifford B. Allen, of counsel for the appellant, and submitted on a printed argument by Mr. Edward L. Kehr, of counsel for the appellees.

110. P. M. Childers, vs. R. W. McClaughry, Warden &c. Appellant. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. F. Parker and Mr. O. L. Rider, of counsel for the appellant, and Mr. Assistant Attorney General Harr, of counsel for the appellee.

111 St. Louis Southwestern Railway Co., vs. The State of Arkansas. Plaintiff in Error. The argument of this cause was commenced by Mr. Roy F. Britton, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Thursday, January 27th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day.
Horace H. Lurton
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that John W. Davis, Esquire, of Greenebrug, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus O. Bacon, it is ordered that Reuben R. Arnold, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

St Louis Southwestern Railway Co.,
111. vs. Plaintiff in Error,
The State of Arkansas.

The argument of this cause was concluded by Mr. Roy F. Britton, of counsel for the plaintiff in error, and the cause was submitted on a printed argument by Mr. Hal L. Norwood, of counsel for the defendant in error.

The Board of Assessors of the Parish of Orleans et al.,
112. vs. Appellants,
The New York Life Insurance Co.

On motion of Mr. H. Garland Dupré, of counsel for the appellants, leave is hereby granted to three counsel to argue this case orally on behalf of the appellants.

The Board of Assessors of the Parish of Orleans et al.,
112. vs. Appellants,
The New York Life Insurance Co.

The argument of this cause was commenced by Mr. George A. Terriberry, of counsel for the appellants; continued by Mr. James H. McIntosh, of counsel for the appellee, and Mr. H. Garland Dupré of counsel for the appellants, and concluded by Mr. Harry P. Sneed, of counsel for the appellants. Leave was granted counsel to file briefs on the question of jurisdiction, within five days.

113. The Citizens Central National Bank of New York, Plaintiff in Error, vs. R. Ross Appleton, Receiver &c.

The argument of this cause was commenced by Mr. John A. Garver, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned

Friday. January 28th. 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Joseph McKenna Associate
Oliver Wendell Holmes Justices.
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Jacob F. Wolters, Esquire, of Houston, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Theodore E. Burton, it is ordered that Brand Whitlock, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

113 The Citizens Central National Bank of New York, Plaintiff in Error, vs. K. Ross Appleton, Receiver &c. — The argument of this cause was continued by Mr. John A. Garver, of counsel for the plaintiff in error, and Mr. John W. Altchiuson, Jr., and Mr. Julius M. Mayer, of counsel for the defendant in error, and concluded by Mr. John A. Garver, of counsel for the plaintiff in error.

114 George B. Starkweather, Appellant, vs. Herbert W. S. Jennings et al — This cause was argued by Mr. Richard L. Evans, of counsel for the Appellant, and Mr. B. F. Leighton, of counsel for the appellees.

116 George F. Albright, Plaintiff in Error, vs. Jesus Maria Sandoval.

117 Jesus Maria Sandoval, Plaintiff in Error, vs. George F. Albright.

118 George F. Albright, Appellant, vs. Jesus Maria Sandoval. — These cases were argued by Mr. Edward L. Medler, of counsel for Albright, and submitted on a printed argument by Mr. Niece B. Fried, of counsel for Sandoval.

Proclamation being made, the Court is adjourned

Monday, January 31st, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Joseph McKenna Associate
Oliver Wendell Holmes Justices
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Frank W. Parker, Esquire, of Las Cruces, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. U. Fletcher, it is ordered that Charles E. Davis, Esquire, of Madison and F. P. Cone, Esquire, of Lake City, State of Florida, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter S. Penfield, it is ordered that

State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Clark, it is ordered that Cornelius P. McIntyre, Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. H. Levett, it is ordered that Isadore Kallet, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that William H. Oppenheimer, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Townsend, it is ordered that Leo Nelson Sharpe, Esquire, of Bay City, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday, January 31st, 1910, continued.

On motion first made to the Court in this behalf by Mr. John A. Kratz, Jr., it is ordered that Frederick Manley Ivie, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Crandall Mackey, it is ordered that Arthur E. H. Middleton, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur F. Odlin, it is ordered that Robert J. Buckley, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

77. Lyda B. Conley, Appellant, vs Richard A. Ballinger, Secretary of the Interior, and Horace B. Durant, Thomas G. Walker and William A. Simpson, Commissioners. Appeal from the Circuit Court of the United States for the District of Kansas.

of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill without costs.

per Mr. Justice Holmes.

Henry L. King, Plaintiff in Error, vs. The State of West Virginia and Spruce Coal & Lumber Co. — In Error to the Supreme Court of Appeals of the State of West Virginia.

445.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Holmes.

Henry C. King
vs. Plaintiff in Error,
The State of West Virginia,
Egbert Miller, Egbert Miller,
Trustee, et al.

In Error to the Supreme Court of Appeals of the State of West Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes.

Henry C. King
vs. Plaintiff in Error,
The State of West Virginia
U. B. Buskirk, Trustee, et al

In Error to the Supreme Court of Appeals of the State of West Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes.

79. Cincinnati, New Orleans & Texas Pacific Railway Co. vs. J. Slade and E. M. Pleas, composing the firm of Pleas & Slade. Plaintiff in Error. In Error to the Court of Appeals of the State of Georgia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

(Announced by Mr. Justice McKenna)

80. The Pullman Co. vs. The State of Kansas ex rel. C. C. Coleman, Attorney General of said State. Plaintiff in Error. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court

versed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for such further proceedings as may be consistent with the opinion of this Court.

per Mr. Justice Harlan.

Dissenting:
Mr. Justice Holmes
Mr. Chief Justice Fuller
Mr. Justice McKenna.

9 [illegible]

Robert Earl Kerfoot, Plaintiff in Error,
vs.
The Farmers' & Merchants' Bank et al.

On consideration of the suggestion of the death of J. A. Patton, curator, etc., one of the defendants in error herein, of the stipulation for the appointment of Guardian ad litem for Lester R. Kerfoot, and the motion to continue this cause until the next term, It is now here ordered by the Court that Thomas J. Beale be, and he is hereby, appointed such Guardian ad litem accordingly, and that the cause be revived in the name of and against the said defendant, Lester R. Kerfoot, by said Beale, as Guardian ad litem, and thereupon, upon the entry of appearance by said Guardian ad litem, the case is continued until the next term.

per Mr. Chief Justice Fuller.

Buck Stove & Range Co. et al.,
595. vs. Plaintiffs in Error,
C. C. Vickers et al.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

Henry G. Thomas,
730. vs. Petitioner,
Florence Hunt De Winter and Nicholas De Winter.

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

The Commissioners of Lincoln Park,
733. vs. Petitioners,
Westinghouse Company of America

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of

Court of Appeals for the Seventh Circuit and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller

743 Virginia Passenger & Power Co., Equitable Trust Co. of New York, Trustee, and Bowling Green Trust Co., Trustee, Petitioners, vs. Lane Brothers Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

744 The United States, Petitioner, vs. J. R. Simon & Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argu-

of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

746. The United States, Petitioner, vs. Leopold Bruck. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

747. Stella P. Flint, as General Guardian, etc., Appellant, vs. Stone Tracy Co. et al. On consideration of the motion of The United States for leave to argue this cause orally and to file printed briefs therein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Stella P. Flint as Guardian, &c.,
vs. Appellant,
Stone Tracy Co. et al.

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, March 14th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Rickey Land & Cattle Co.,
vs. Petitioner,
Miller & Lux.

Rickey Land & Cattle Co.,
vs. Petitioner
Henry Wood et al.

It is ordered by the Court that these cases be, and the same are hereby, restored to the docket for re-argument.

per Mr. Chief Justice Fuller.

The United States,
vs.
The Terminal Railroad Association of St. Louis et al.

On a certificate from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and on a motion to dismiss which was submitted by counsel for the United States. On consideration whereof, It is now here ordered, adjudged and

the same is hereby dismissed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed therein in conformity with law.

Per Mr. Chief Justice Fuller.

663 The Interstate Commerce Commission vs. Appellant, Chicago, Rock Island & Pacific Ry Co., et al.

664 Burnham, Hanna, Munger Dry Goods Co., et al., vs. Appellants, Chicago, Rock Island & Pacific Railway Co., et al.

On motion of Mr. Solicitor General Bowers, of counsel for The Interstate Commerce Commission, It is ordered by the Court that these cases be, and the same are hereby, reassigned for argument on Tuesday, October 11th next, after the cases heretofore assigned for that day.

640 Henry L. Hertz, Collector, &c., vs. Gordon Q. Woodman et al., Executors, etc.

On motion of Mr. Solicitor General Bowers, of counsel for Hertz, Collector, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, April 4th next.

763 The United States, Petitioner, vs. Haviland & Co — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Bowers and Mr. Assistant Attorney General Lloyd in support of the same, and Mr. B. A. Levett in opposition thereto.

764 The United States, Petitioner, vs. E. J. Lavino & Co.
765 The United States, Petitioner, vs. O. G. Hempstead & Co.
766 The United States, Petitioner, vs. J. W. Hampton, Jr., & Co. — The petition for writ of certiorari herein was submitted to the consideration of the Court by Mr. Solicitor General Bowers and Mr. Assistant Attorney General Lloyd in support of the same, and leave was granted counsel for the respondents to file briefs in opposition thereto on or before Friday next.

751 Wyckoff Van Derhoef, Appellant, vs. The Coney Island & Brooklyn Railroad Co. et al.
752 Francis L. Stine, Appellant, vs. The Home Life Insurance Co. et al. — On motion of Mr. Charles W. Pierson, of counsel for the appellants, It is ordered by the Court that these cases be, and the same are hereby, advanced and assigned for argument on March 14th next, with case No.

753. Fred W. Smith, vs. Appellant, The Northern Trust Co., et al.

754. William H. Miner, vs. Appellant, The Corn Exchange National Bank of Chicago, et al.

On motion of Mr. Edward O. Brown, of counsel for the appellants, It is ordered by the Court that these cases be, and the same are hereby, advanced and assigned for argument on March 14th next, with cases Nos. 747, 751 and 752, as one case.

767. Lewis W. Jared, vs. Appellant, The American Multigraph Co., et al.

On motion of Mr. Arthur F. Odlin, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on March 14th next, with cases Nos. 747, 751, 752, 753 and 754, as one case.

757. Cedar Street Co. vs. Appellant, Park Realty Co.

On motion of Mr. Frederic D. McKenney, of counsel for the appellant, It is ordered by the Court that this case be, and the same is hereby, advanced and assigned for argument on March 14th next, with cases Nos. 747, 751, 752, 753, 754 and 767, as one case.

738. American Car & Foundry Co., Petitioner, vs. Seeger Refrigerator Co. The petition for a writ of certiorari herein was submitted to the consideration of the court on printed arguments by Mr. C. A. Severance, Mr. Samuel R. Betts, and Mr. Paul Bakewell in support of the same, and Mr. Edmund Wetmore and Mr. Oscar W. Jeffery in opposition thereto.

739. Thomas Rhodus, Plaintiff in Error, vs. Elbert N. Manning et al.

740. Edward J. Rhodus, Plaintiff in Error, vs. Elbert N. Manning et al.

741. Birch F. Rhodus, Plaintiff in Error, vs. Elbert N. Manning et al.

742. Birch F. Rhodus et al., Plaintiffs in Error, vs. Elbert N. Manning et al.

On motion of Mr. Benjamin C. Bachrach, of counsel for the plaintiffs in error, It is ordered by the court that these cases be, and the same are hereby, consolidated, per stipulation of counsel.

Proclamation being made, the court is adjourned

Monday, February 21st, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Ernest Knaebel, Esquire, of Denver, State of Colorado; Thomas F. Sheridan, Esquire, of Chicago, State of Illinois, and Merritt Cramer Mechem, Esquire, of Socorro, Territory of New Mexico, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. A. Liggett, it is ordered that William T. Hendry, Esquire, of Perry, State of Florida, be admitted to practice as an attorney and coun-

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that George W. Winstead, Esquire, of St. Louis, State of Missouri, and Max D. Josephson, Charles L. Atterbury and George Coffing Warner, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Chaney, it is ordered that George L. Silzer, Esquire, of New Brunswick, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rhea P. Cary, it is ordered that William G. Cavett, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. P. Pujo, it is ordered that Charles A. McCoy, Esquire, of Lake Charles, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel T. Fisher, it is ordered that Albert H. Graves, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Guy C. H. Corliss, it is ordered that William E. Purcell, Esquire, of Wahpeton, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Yerkes, it is ordered that Frank W. Gribnecel, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Fred S. Caldwell, Esquire, of Guthrie, State of Oklahoma, and Rice Maxey, Esquire, of Sherman, and Mark McMahon, Esquire, of Bonham, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf

Monday, February 21st, 1910, continued.

W. Kleinfeld Esquire, of Saginaw, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Barry Mohun, it is ordered that Harry T. Andrews, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that James C. Gentry, Esquire, of Meeker, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Abram Bon, Esquire, of Boston, State of Massachusetts, and Le Roy B. C. Delaney, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

William A. Wright, Comptroller General of the State of Georgia, the County of Wilkes, and the County of Taliaferro — Appeal from the Circuit Court of the United States for the Northern District of Georgia.

No. 70. vs. Appellants,

Georgia Railroad & Banking Co.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, modified so as to exclude the eighteen miles constituting the Washington Branch Railroad, but in all other respects be, and the same is hereby, affirmed, the costs of this appeal to be divided between Wright, Comptroller General, and The Georgia Railroad & Banking Company.

Per Mr. Justice Lurton

The Toxaway Hotel Co., — On a certificate from the United States Circuit Court of Appeals for the Fourth Circuit

No. 88. vs.

J. L. Smathers & Co., & c. Willis et al.

This cause came on to be heard on a certificate

for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Lurton.

J. H. Friday, George E. Hardie, Charles C. Henze et al. Petitioners, vs. Hall & Kane Co.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that the decree of the District Court of the United States for the Western District of Pennsylvania be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the said District Court.

Per Mr. Justice Lurton.

Silas Pickett,
vs. Plaintiff in Error,
The United States

In Error to the Circuit Court of the United States for the Western District of Oklahoma

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Oklahoma, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Lurton.

Moses Haas,
vs. Appellant,
William Henkel, United States Marshal for the Southern District of New York, et al.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

366 Frederick A. Peckham, Appellant, vs. William Henkel United States Marshal for the Southern District of New York, et al. — Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lurton.

385 Theodore A. Price, Appellant, vs. William Henkel, United States Marshal for the Southern District of New York, et al. — Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said

is hereby, affirmed with costs.

Per Mr. Justice Lurton

The State of Maryland,
Original. vs. Complainant. In Equity.
The State of West Virginia

This cause came on to be heard upon the pleadings and evidence and was argued by counsel. On consideration whereof, It is now here ordered by the Court that counsel for the respective parties be, and they are hereby, given forty days from the entry of this order to agree upon three commissioners to run and establish a boundary between the respective States along the old line known as the Deakins or old State line, and to present to the Court for its approval a decree drawn according to the directions given in the opinion of the Court, in default of which agreement and decree within said time this Court will appoint commissioners and itself draw the decree in conformity with the opinion of this Court. The costs in the case to be equally divided between the two States.

Per Mr Justice Day

8. The Western Union Telegraph Co., Appellant, vs. P. R. Andrews, Clyde Going, R. E. Jeffrey et al. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings.

Per Mr. Justice Day.

450. Southern Railway Co., Plaintiff in Error, vs. Samuel E. Greene. In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with

hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Day.

Dissenting:
Mr. Chief Justice Fuller
Mr. Justice McKenna
Mr. Justice Holmes

Louisville & Nashville Railroad Co. vs. John B. Gaston. — In Error to the Supreme Court of the State of Alabama.

451.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Day.

Dissenting:
Mr. Chief Justice Fuller
Mr. Justice McKenna
Mr. Justice Holmes.

1161 Central of Georgia Railway Co., Plaintiff in Error, vs. John B. Gaston. In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Day.

Dissenting:
Mr. Chief Justice Fuller
Mr. Justice McKenna
Mr. Justice Holmes

10[illegible] John A. Olmsted and William N. Olmsted, Plaintiffs in Error, vs. Daniel N. Olmsted, Ellen A. Olmsted, wife of Daniel N. N. Olmsted, Mary O. Decker et al. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On con-

adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

J. W. Forbes, Thomas Tatum Osborne, John T. Cox et al. vs. The State Council of Virginia, Junior Order United American Mechanics of the State of Virginia — Plaintiffs in Error; In Error to the Supreme Court of Appeals of the State of Virginia.

104

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Day.

W. P. Harris, Trustee of the Estate of John Hargrove, Bankrupt, vs. The First National Bank of Mt. Pleasant, Texas — Plaintiff in Error; In Error to the District Court of the United States for the Eastern District of Texas.

98.

This cause came on to be heard on the tran-

Texas, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

81. Emilie Saxlehner, Petitioner, vs. Edward Wagner, William Wagner and Sophia Wagner. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Ohio.

Per Mr. Justice Holmes.

96. The United States, Plaintiff in Error, vs. H. P. Plowman. In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

script of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Idaho with directions to grant a new trial.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice McKenna.

100. Laurel Hill Cemetery, vs. City and County of San Francisco, Board of Supervisors of the City and County of San Francisco et al. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Hawaiian Trust Co., Limited, and Muriel Campbell Shingle, Executors of Abigail K. Campbell Parker, deceased, Appellants, vs. Heinrich Martens Von Holt, Albert N. Campbell, and Cecil Brown, Trustees under the will and of the estate of James Campbell, deceased, et al. Appellees.

Appeal from the Supreme Court of the Territory of Hawaii.

116.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Hawaiian Trust Co., Limited, and Muriel Campbell Shingle, Executors of Abigail K. Campbell Parker, deceased, Appellants, vs. Heinrich Martens von Holt, Albert N. Campbell and Cecil Brown, Trustees under the will and of the Estate of James Campbell, deceased, et al Appellees.

Appeal from the Supreme Court of the Territory of Hawaii.

107.

of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

William J. Morley, a corporation organized and existing under the laws of the State of Illinois

vs.

Henry L. Hertz, Collector of Internal Revenue for the First Collection District of Illinois

On a certificate from the United States Circuit Court of Appeals for the Seventh Circuit

398.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice McKenna.

Daniel F. Blake, as Trustee in Bankruptcy of Walker-Lewis Millinery Co. vs. William Openhym & Sons. Appellant. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice McKenna.

Mrs. Annie E. Penman, vs. Petitioner. St. Paul Fire & Marine Insurance Co. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby,

States for the Western District of Pennsylvania.

per Mr. Justice McKenna.

53. C. M. Pendleton, Plaintiff in Error, vs. The United States. | In Error to the Supreme Court of the Philippine Islands

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice McKenna.

Dissenting:
Mr. Justice Harlan.

116. George F. Albright, Plaintiff in Error, vs. Jesus Maria Sandoval. | In Error to the Supreme Court of the Territory of New Mexico.

117. Jesus Maria Sandoval, Plaintiff in Error, vs. George F. Albright.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now

that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed, each party paying their own costs in this Court.

Per Mr. Justice McKenna.

115 George F. Albright, Appellant, vs. Jesus Maria Sandoval. Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice McKenna.

111 Victor Frankl and John H. Luis, copartners under the firm name of Jaffe Brothers & Company, and Robert Hinne and Herman Wolfram, copartners under the firm name of Hinne & Co., Appellants, vs. Manuel Cereceda, Enrique Cereceda, Jose Cereceda, & Francisco Cereceda, composing the copartnership of Cereceda Hermanos. Appeal from the District Court of the United States for Porto Rico.

of the record from the District Court of the United States for ——— Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

75. The Hanna Distilling Co., Plaintiff in Error, vs. The Mayor and City Council of Baltimore. In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

The Missouri Pacific Railway Co. Plaintiff in Error, vs. The State of Kansas ex rel. Carr W. Taylor, Attorney for the Board of Railroad Commissioners, and C. C. Coleman, Attorney General of the State of Kansas — In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

Richard A. Ballinger, Secretary of the Interior, Plaintiff in Error, vs. The United States of America ex rel. Belle Frost. — In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

86. Central Trust Co. vs. Central Trust Co. of Illinois, William R. Davis and Daniel A. Campbell. Appellant, Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that the cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Illinois.

Per Mr. Justice Brewer.

45. Oswald C. Ludwig, as Secretary of State of the State of Arkansas, vs. The Western Union Telegraph Co. Appellant, Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and

Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Chief Justice Fuller.
Mr. Justice Holmes
Mr. Justice McKenna.

(354) Great Northern Railway Co., Plaintiff in Error, vs. The State of Minnesota — In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

Per Mr. Justice Harlan.

(355) Chicago Great Western Railway Co., Plaintiff in Error, vs. The State of Minnesota — In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript

of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

Per Mr. Justice Harlan.

The President, Managers and Company of the Monongahela Bridge Co., Plaintiffs in Error, vs The United States. In Error to the District Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Brewer.

Guillermo Alvarez y Sanchez, Appellant, vs. The United States. Appeal from the Court of Claims.

169

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Harlan.

The Citizens' Central National Bank of New York, Plaintiff in Error, vs. R. Ross Appleton, as Receiver of the Cooper Exchange Bank. In Error to the Supreme Court of the State of New York.

162

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of New York.

Per Mr. Justice Harlan.

56. William Woodside, Plaintiff in Error, vs. H. S. Beckham, Administrator of Albert Vacey, deceased, W. R. Layborn, E. E. Stochr et al. In Error to the Circuit Court of the United States for the Northern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

74. George E. Hartman, Trustee in Bankruptcy of Francis Bacon, Plaintiff in Error, vs. The First National Bank of Waterloo, New York. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

P. M. Childers.
vs. Appellant.
R. W. McClaughry, Warden of the United States Penitentiary at Leavenworth, Kansas.

110. Appeal from the District Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice Fuller.

Byron F. Babbitt, Trustee in Bankruptcy of the Estate of Randolph-Macon Coal Co.
vs. Appellant.
Howard Dutcher, Secretary of Randolph-Macon Coal Co. and James T. Gardiner, President of Randolph-Macon Coal Co.

34 Appeal from the District Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said

District Court in this cause, denying the petition be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with law.

Per Mr. Chief Justice Fuller.

235. Abram J. Elkus, Petitioner (In the matter of the Madeon Steel Co. Bankrupt.) — On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of the Court that the questions certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Fuller.

378. Atlantic Coast Line Railroad Co. vs. B. Mazursky. Plaintiff in Error, — In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript

of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

59 Southern Express Co., Plaintiff in Error, vs. E. E. McTeer. In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

60 Atlantic Coast Line Railroad Co., Plaintiff in Error, vs. R. Keith Charles. In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered

of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

61. Atlantic Coast Line Railroad Co., Plaintiff in Error, vs. A. von Lehe. — In Error to the Supreme Court of the State of South Carolina

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

62. The Atlantic Coast Line Railroad Co., Plaintiff in Error, vs. A. von Lehe. — In Error to the Supreme Court of the State of South Carolina

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

738. American Car & Foundry Co. vs. Petitioner
Seeger Refrigerator Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

763. The United States, Petitioner
vs.
Haviland & Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

764 The United States, Petitioner, vs. E. J. Lavino & Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

765. The United States, Petitioner, vs. O. G. Hempstead & Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

766 The United States, Petitioner. vs. J. W. Hampton, Jr., & Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

The Chief Justice announced that the Court would not sit tomorrow, Washington's Birthday.

803 Joaquin Gil. Plaintiff in Error. vs. The United States. Mr. Solicitor General Bowers, of counsel for the defendant in error having filed in open court the following certificate, to wit:

"The United States of America.

In the Supreme Court of the Philippine Islands.

I, J. E. Blanco, Clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in said Court, wherein The United States was plaintiff and appellee, and Joaquin Gil was defendant and appellant, a final judgment was rendered by said Supreme Court on the thirteenth day of July A. D. 1909, in

said Joaquin Gil, and that on the twenty-sixth day of July, A. D. 1909, the said Joaquin Gil sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court at Manila, P. I., this twenty-sixth day of July, A. D. 1909.

Seal.

J. E. Blanco
Clerk of the Supreme Court of the Philippine Islands"

and moved the Court to docket and dismiss this cause pursuant to the 9th rule, and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller

503 Joaquin Gil. vs. Plaintiff in Error, The United States

On motion of Mr. Solicitor General Bowers, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

736. Thomas Franklin. vs. Plaintiff in Error, The United States.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Bowers in support of the same, and Mr. Holmes Conrad in opposition thereto

663 The Interstate Commerce Commission, vs. Appellant. Chicago, Rock Island & Pacific Railway Co. et al.

664 Burnham, Hanna, Munger Dry Goods Co. et al., vs Appellants, Chicago, Rock Island & Pacific Railway Co. et al.

On motion of Mr. Solicitor General Bowers, of counsel for The Interstate Commerce Commission It is ordered by the Court that these cases be, and they are hereby, reassigned for argument on Monday, April 4th next, after the case heretofore assigned for that day.

Monday, February 21st, 1910, continued

581. The United States, Plaintiff in Error; vs. William B. Hammond. On motion of Mr. Solicitor General Bowers, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and it is hereby, passed

641. The Interstate Commerce Commission, Appellant, vs. Chicago, Burlington & Quincy Railroad Co. On motion of Mr. Solicitor General Bowers, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument with cases Nos. 663 and 664, in one case on Monday, April 4th, next.

773 Chicago Railway Equipment Co., Petitioner, vs. Perry Side Bearing Co. et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. F. N. Judson, Mr. George S. Fisher, Jr., and Mr. Peter Bakewell in support of the same.

Monday, February 21st, 1910, continued.

780. General Electric Co., vs. Richmond Street & Interurban Railway Co. Petitioner

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. L. F. A. Bull in support of the same, and Mr. Thomas F. Sheridan and Mr. Clifton V. Edwards in opposition thereto.

775. Joseph E. Gay, vs. The Baltic Mining Co., et al. Appellant.

On motion of Mr. Frederick J. Stimson of counsel for the appellant, It is ordered by the Court that this case be, and the same is hereby, advanced and assigned for argument on Monday, March 14th next with case No. 747 and other cases as one case.

648. Roswell E. Messinger vs. Peter Anderson. Petitioner.

Mr. Rhea P. Cary, of counsel for the respondent, submitted to the consideration of the Court a motion to advance this cause.

565 Hudson Oil & Supply Co., vs. Theodore B. Boonem, Receiver &c. Appellant.

The motion to advance this cause pursuant to the 32d rule was

Mr. de Lagnel Berier, of counsel for the appellant. A suggestion of diminution of the record and motion for a writ of certiorari herein was submitted to the consideration of the Court by Mr. George S. Silzer, of counsel for the appellee.

Ex parte: In the matter of Henry A. Cleland, Original Petitioner. Mr. Edwin Denby in behalf of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Great Falls & Old Dominion Railroad Co., Petitioner, vs. Gertrude T. Hill. 772. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Willon J. Lambert in support of the same, and Mr. John A. Kratz, Jr., and Mr. A. E. L. Leckie in opposition thereto.

The City of Chicago, Petitioner, vs. Erie & Western Transportation Co. 783. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed

Mr. Edward J. Brundage in support of the same, and Mr. Harvey D. Goulder, Mr. Frank S. Marten, Mr. S. A. Holding, Mr. C. W. Greenfield and Mr. Frederick M. Brown in opposition thereto.

Ex parte: In the matter of The State of Oklahoma, Petitioner. Original. The motion for leave to file a petition for a writ of prohibition in this cause to the Circuit Court of the United States for the Eastern District of Oklahoma was submitted to the consideration of the Court by Mr. Fred S. Caldwell and Mr. Joseph W. Bailey in support of the same.

Ex parte: In the matter of The State of Oklahoma, Petitioner, Original. The motion for leave to file a petition for a writ of prohibition herein to the Circuit Court of the United States for the Western District of Oklahoma, was submitted to the consideration of the Court by Mr. Fred S. Caldwell and Mr. Joseph W. Bailey in support of the same.

130 Shevlin-Carpenter Co., et al., Plaintiffs in Error, vs. The State of Minnesota. The suggestion of diminution of the record and motion for a writ of

eration of the Court by Mr. Charles Henry Butler in support of the same for the plaintiffs in error, and leave was granted counsel for the defendant in error to file a brief in opposition thereto within five days.

797. George Wendell Phillips, Appellant, vs. Fifty Associates et al. On motion of Mr. Barry Mohun, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Monday, March 14th next, with case No. 747, and other cases, as one case.

743. Eugene M. Organ, Trustee &c., Petitioner vs. Julia Martin. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles K. Bell in support of the same.

784. Percy H. Brundage, Appellant, vs. Broadway Realty Co., et al. On motion of Mr. Harry T. Andrews, of counsel for the appellees in case No. 785, It is ordered by the Court that these

785. Paul Lacroix, Appellant, vs. Motor Taximeter Cab Co. et al.

cases be, and they are hereby, advanced and

14th next with case No. 747 and other cases, as one case.

796 Arthur Lyman et al. vs. Appellants, Interborough Rapid Transit Co., et al. On motion of Mr. Richard Reid Rogers, of counsel for the appellants, It is ordered by the Court that this cause be, and it is hereby, advanced and assigned for argument on Monday, March 14th next with case No. 747 and other cases, as one case.

789 Will F. Woods, vs. Petitioner The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Richard R. McMahon and Mr. Charles W. Ogden in support of the same, and Mr. Solicitor General Bowers in opposition thereto.

353 James A. Shine et al, vs. Appellants, Fox Brothers Manufacturing Company. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Herbert R. Marlatt and Mr. Frank H. Sullivan in support of the same, and Mr. Shepard Barclay

H. Fauntleroy in opposition thereto.

760. Great Northern Railway Co., Petitioner, vs. Western Union Telegraph Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William R. Begg and Mr. John G. Johnson in support of the same, and Mr. John F. Dillon and Mr. Rush Taggart in opposition thereto.

761 Levi C. Weir, et al., Appellants, vs. Amy J. Rountree. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Eugene F. Ware in support of the same, and Mr. William C. Scarritt in opposition thereto.

178. William Skinner, Appellant, vs. Edmund Wright as Trustee in Bankruptcy of W. C. Loftus & Co. Bankrupt. Appeal from the United States Circuit Court of Appeals for the Second Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss

suance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed

per Mr. Chief Justice Fuller.

362. Interstate Commerce Commission, Appellant, vs The Delaware, Lackawanna & Western Railway Company.

The argument of this cause was commenced by Mr. Solicitor General Bowers, of counsel for the appellant.

Proclamation being made the Court is adjourned

Wednesday, February 23d, 1910

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. Lott it is ordered that Asa S. Keller and Joseph Wood Hall, Esquires, of Punxsutawney, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Gilfry, it is ordered that George G. Bingham, Esquire, of Salem, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Wednesday, February 23d, 1910, continued

On motion first made to the Court in this behalf by Mr. Frank W. Hackett, it is ordered that Herbert A. Gibbs, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Interstate Commerce Commission, Appellant, vs. The Delaware, Lackawanna & Western Railroad Co. 362. The argument of this cause was continued by Mr. Solicitor General Bowers, of counsel for the appellant, and Mr. William S. Jenney, of counsel for the appellee, and concluded by Mr. Solicitor General Bowers, of counsel for the appellant.

Interstate Commerce Commission, Appellant, vs. Northern Pacific Railway Co. 361. The argument of this cause was commenced by Mr. P. J. Farrell, of counsel for the appellant, and continued by Mr. Charles W. Bunn of counsel for the appellee, and Mr. Assistant to the Attorney General Ellis, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Thursday, February 24th, 1910.

Pursuant to adjournment the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Albert Coulter Wells and William Hinton Holloway, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. W. Palmer, it is ordered that Michael J. Martini and Henry J. Knapp, Esquires, of Scranton, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn

On motion first made to the Court in this behalf by Mr. Charles J. Hughes, Jr., it is ordered by the Court that Julius C. Hunter, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

570 Interstate Commerce Commission, Appellant, vs. Northern Pacific Railway Co

The argument of this cause was concluded by Mr. Ellis, of counsel for the appellant.

Assistant to the Attorney General

553 The Northern Pacific Railway Co. Plaintiff in Error, vs. The State of North Dakota ex rel. T. F. McCue, Attorney General

554 Great Northern Railway Co., Plaintiff in Error, vs. The State of North Dakota ex rel. T. F. McCue, Attorney General

555 Minneapolis, St. Paul & Sault Ste. Marie Railway Co., Plaintiff in Error, vs. The State of North Dakota ex rel T. F. McCue, Attorney General

The argument of these cases was commenced by Mr. Charles W. Bunn, of counsel for the Northern Pacific Railway Co., and continued by Mr. Guy C. H. Corlis, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Friday, February 25th, 1910.

Pursuant to adjournment, the Court met to-day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Justice M. C. Chamberlin, it is ordered that Robert Joseph Kennedy, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

353. The Northern Pacific Railway Co., Plaintiff in Error, vs. The State of North Dakota ex rel. J. F. McCue, Attorney General.

354. Great Northern Railway Co., Plaintiff in Error, vs. The State of North Dakota ex rel.

The argument of these cases was continued by Mr. Andrus Miller, of counsel for

535. Minneapolis, St. Paul & Sault Ste. Marie Railway Co. vs. The State of North Dakota ex rel T. F. McCue, Attorney General. (Plaintiff in Error.)

ant in error, and concluded by Mr. Charles W. Bunn, of counsel for the Northern Pacific Railway Company.

544. The Interstate Commerce Commission, et al., vs. The Delaware, Lackawanna & Western Railroad Co., et al. Appellants,

The argument of this cause was commenced by Mr. Mazzini Summer, of counsel for the American Forwarding Co., et al., and continued by Mr. W. S. Jenney and Mr. Walker D. Hines, of counsel for the appellees.

Proclamation being made, the Court is adjourned

Monday, February 28th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Felix Frankfurter, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. M. Rodriguez-Serra, it is ordered that Jacinto Texidor, Esquire, of San Juan, Porto Rico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Charles C. Linthicum, it is ordered that Frederick R. Cornwall, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Stephen L. Selden and Job E. Hedges, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isaac R. Hitt, Jr., it is ordered that Charles A. Enslow, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George S. Graham, it is ordered that John B Stanchfield, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. W. Van Dyke, it is ordered that Clarence R. Freeman, Esquire, of New

ney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Charles F. Conerus, it is ordered that E. A. Lane, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr E. H Hubbard, it is ordered that William H. Farnsworth and Wilbur Aven, Esquires, of Sioux City, State of Iowa, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter C. Clephane, it is ordered that Nelson Zabriskie Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hunnis Taylor, it is ordered that Robert Pope Reese Esquire, of Pensacola, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and

114. George B. Starkweather, Appellant, vs. Herbert W. T. Jenner, John D. Croissant, John A. Johnson, Andrew B. Duvall, and Charles C. Cole. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

112. The Board of Assessors of the Parish of Orleans, The City of New Orleans et al., Appellants, vs. The New York Life Insurance Co. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause

Mr. Justice Holmes dissenting; Mr. Justice Brewer

103. The J. J. McCaskill Co. vs. The United States. Appellant, Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Florida.

per Mr. Justice McKenna

92. The William Cramp and Sons Ship and Engine Building Co. vs. The United States. Appellant, Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in

and that this cause be, and the same is hereby, remanded to the said Court of Claims with instructions to enter judgment in favor of the claimant for the sum of $49,792.66.

per Mr. Justice Brewer

108 William W. Wilmuth, Appellant, vs. William R. Bush Construction Co. and the Municipal Improvement Investment Co. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

Ex parte: In the matter of The State of Oklahoma, by Charles N. Haskell, Governor, Original Petitioner. On consideration of the motion for leave to file a petition for a writ of prohibition

the Eastern District of Oklahoma, It is now here ordered by the Court that said motion be, and the same is hereby, granted

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The State of Oklahoma, by Charles N. Haskell, Governor, Petitioner, 13 Original

On consideration of the petition for a writ of prohibition to the Circuit Court of the United States for the Eastern District of Oklahoma, It is now here ordered by the Court that cause be shown by the said Circuit Court of the United State for the Eastern District of Oklahoma, and Honorable Ralph E. Campbell District Judge of said District, sitting as Judge of said Circuit Court, before this Court at the City of Washington on Monday, April 4th, 1910, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of prohibition should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The State of Oklahoma by Charles N. Haskell, Governor, Petitioner.

On consideration of the motion for leave to file a petition for a writ of prohibition

Western District of Oklahoma, It is now here ordered by the Court that said motion be, and the same is hereby, granted

per Mr. Chief Justice Fuller

Ex parte: In the matter of The State of Oklahoma, by Charles N. Haskell, Governor. 14 Original Petitions

On consideration of the petition for a writ of prohibition to the Circuit Court of the United States for the Western District of Oklahoma, It is now here ordered by the Court that cause be shown by the said Circuit Court of the United States for the Western District of Oklahoma and Honorable John A. Cotteral, District Judge of said District, sitting as Judge of said Circuit Court, before this Court at the City of Washington on Monday, April 4th, 1910, at 12 o'clock noon of that day or as soon thereafter as counsel can be heard, why a writ of prohibition should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Henry A. Cleland. Original Petitions

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby

Ex parte: In the matter of Henry A. Cleland, Original Petitioner

12

On consideration of the petition for a writ of mandamus herein, It is now here ordered by the Court that cause be shown by the Honorable Henry A. Swan, United States District Judge for the Eastern District of Michigan, sitting in the Circuit Court of the United States for said Eastern District of Michigan, before this Court at the City of Washington, on Monday, March 7, 1910, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be granted as prayed in said petition

per Mr. Chief Justice Fuller

Shevlin-Carpenter Co., et al., Plaintiffs in Error, vs. The State of Minnesota.

139

On consideration of the suggestion of diminution of the record and motion for a writ of certiorari in this cause, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby granted, without prejudice, the papers accompanying the motion to stand as a return thereto.

per Mr. Chief Justice Fuller.

Monday, February 28th, 1910, continued.

568	Hudson Oil & Supply Co. vs. Theodore B. Booraem, Receiver, etc. Appellant.	On consideration of the suggestion of diminution of the record and motion for a writ of certiorari in the same, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, granted, and the record accompanying the motion is ordered to be filed as a return to the writ. It is further ordered that the motion to advance be, and the same is hereby, granted, and the case taken as submitted on the briefs already filed

Per Mr. Chief Justice Fuller.

568.	Hudson Oil & Supply Co, vs. Theodore B. Booraem, Receiver, etc. Appellant.	Appeal from the District Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Monday, February 25th, 1910, continued

Roswell E. Messinger, Petitioner,
645. vs.
Peter Anderson.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

Eugene M. Orgain, Trustee in Bankruptcy of E. A. Lowe Co., Bankrupt, Petitioner.
743. vs.
Julia Martin

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be and the same is hereby, denied

per Mr. Chief Justice Fuller.

Great Northern Railway Co., Petitioner,
760 vs.
Western Union Telegraph Co. and Northwestern Telegraph Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of

Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

772. Great Falls & Old Dominion Railroad Co., Petitioner, vs. Gertrude T. Hill — On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

773 Chicago Railway Equipment Co., Petitioner vs. Perry Side Bearing Co. and Henry D. Laughlin — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit and

same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

780. General Electric Co., Petitioner vs. Richmond Street & Interurban Railway Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

783. The City of Chicago, Petitioner, vs. Erie & Western Transportation Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon

same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

784. Will F. Woods, Petitioner vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

769 Levi C. Weir, W. H. Damsel and Charles Steele, The President and Trustees of the Adams Express Co., Appellants, vs. Amy J. Rountree. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration

decreed by this Court that the appeal be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Edward G. Lewis, Plaintiff in Error,
202. vs.
The United States.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Bowers and Mr. Assistant Attorney General Harr in support of the same, and Mr. Shepard Barclay, and Mr. Thomas T. Faunleroy in opposition thereto.

Edward G. Lewis, Plaintiff in Error,
202. vs.
The United States.

The motion to advance this cause was submitted to the consideration of the Court on printed arguments by Mr. Thomas T. Faunleroy and Mr. Shepard Barclay in support of the same, and Mr. Solicitor General Bowers and Mr. Assistant Attorney General Harr in opposition thereto.

1405 The United States, vs. Anton Hansen Haug. Certificate from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Bowers, of counsel for The United States, and he having moved the Court to dismiss the certificate herein Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that this certificate be and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

668 The David Kaufman & Sons Co. vs. George L. Smith, Collector, &c. Plaintiff in Error, The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Bowers and Mr. Assistant Attorney General Lloyd in support of the same, and Mr. Frederick B Campbell and Mr. George Whitfield Belle, Jr., in opposition thereto.

Charles R. Heitz, vs. The United States. Plaintiff in Error, The motion to vacate the allowance of the writ of error and supersedeas herein was argued by Mr. Solicitor General Bowers in sup-

Mr. John B. Mansfield in opposition thereto; and leave was granted counsel for the plaintiff in error to file a brief in opposition to said motion within one week.

William F. Filbrun et al, Appellants, vs. New York Life Insurance Co. 816. On motion of Mr Charles A. Williams, of counsel for the appellants It is ordered by the Court that this cause be, and the same is hereby advanced and assigned for argument with case No. 747, and other cases as one case on Monday, March 14th next.

Oscar Mitchell, Appellant, vs. Clark Iron Co., et al. 800. On motion of Mr. J. L. Washburn, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby advanced and assigned for argument with case No. 747 and other cases as one case, on Monday March 14th next

Helvetia Swiss Fire Insurance Co. Petitioner, vs. Max J. Brandenstein et al. 817. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William J. Wallace and Mr. Frederick B. Campbell in support of

Royall Victor in opposition thereto.

805. O. J. Lewis Mercantile Co., Petitioner, vs. Annie Klepner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Herbert H. Gibbs in support of the same and Mr. Edward A. Alexander in opposition thereto.

692 Solomon Brantley, Plaintiff in Error vs. The State of Georgia. Mr. John C. Hart of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

818. In the matter of Bernard Stavrakin, Petitioner The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Edwin P. Grosvenor in support of the same.

212. Wilson R. Hunter, Plaintiff in Error, vs. Mutual Reserve Life Insurance Co. Mr. W. W. Dodge in behalf of counsel for the plaintiff in error, submitted to the consideration

receivers of the defendant in error to become parties herein, and on motion of Mr. Frederick S. Tyler in behalf of counsel for the defendant in error, leave is hereby granted said counsel to file a brief in opposition thereto within one week.

468 Aluminum Co. of America, Plaintiff in Error, vs. George H. Ramsey. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. Henry M. Armistead and Mr. T. M. Mchaffy in support of the same, and Mr. Uriah M. Rose Mr. Wilson E. Hemingway, Mr. George B. Rose and J. F. Loughborough in opposition thereto.

72 & John B. Mallers, Plaintiff in Error, vs. The Commercial Loan & Trust Co. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Horace G. Stone in support of the same. The motion to strike from the files the appearance of Horace G. Stone as counsel for the defendant in error, and also the motion to dismiss or affirm were submitted to the con-

by Mr. Charles B. Stafford, in support of the same.

The Interstate Commerce Commission, et al., Appellants,
vs.
The Delaware, Lackawanna & Western Railroad Co. et al

No. 344

The argument of this cause was continued by Mr. Walker D. Hines, of counsel for the appellees, and concluded by Mr. Assistant to the Attorney General Ellis, of counsel for the appellants

The United States, Plaintiff in Error,
vs.
Pierre Grimaud et al

No. 490

The United States, Plaintiff in Error,
vs.
Antonio Inda

No. 491

These cases were argued by Mr. Solicitor General Bowers, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

John Wynne, Plaintiff in Error,
vs.
The United States.

No. 449

The argument of this cause was commenced by Mr Henry E. Davis, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Tuesday, March 1st, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal,
James H. McKinney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. William E. Borah, it is ordered that Frank J. Smith, Esquire, of Caldwell, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard A. Ford, it is ordered that John S. Mackay, Esquire, of Hackensack, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

behalf by Mr. Melville Church, it is ordered that George L. Beeler, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stephen B. Elkins, it is ordered that W. A. A. Piatt, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. C. D. Clark, it is ordered that E. E. Enterline, Esquire, of Sheridan, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. P. Pujo, it is ordered that Ruffin G. Stewart, and Purnell M. Milner, Esquires, of New Orleans, State of Louisiana be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is

quire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

445, 446, 447. Henry C. King, Plaintiff in Error, vs. The State of West Virginia et al. On motion of Mr. Maynard F. Stiles, of counsel for the plaintiff in error, It is ordered by the Court that the mandates in these cause be, and they are hereby, stayed for thirty days.

449. John Wynne, Plaintiff in Error, vs. The United States. The argument of this cause was continued by Mr. Henry E. Davis of counsel for the plaintiff in error, and Mr Assistant Attorney General Fowler, of counsel for the defendant in error, and concluded by Mr. Henry E. Davis, of counsel for the plaintiff in error.

115. Edward B. Moore, Commissioner of Patents, Plaintiff in Error, vs. The United States ex rel. The Newcomb Motor Co. The argument of this cause was commenced by Mr. Melville Church, of counsel for the plaintiff in error,

Tuesday, March 1st, 1910, continued.

for the defendant in error.

Proclamation being made, the Court is ad

Wednesday, March 2d, 1910.

Pursuant to adjournment, the Court met to-day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. M. Goldfogle, it is ordered that I. Henry Harris, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. D. O'Connell, it is ordered Edwin E. Vrooman, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

behalf by Mr. A. P. Pujo, it is ordered that J. Blanc Monroe, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Harvey, it is ordered that Deller A. Clithero, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul Sleman, it is ordered that Richard J. Quigley, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. A. Hubbard, it is ordered that George C. Scott, Esquire, of Sioux City, and Thomas A. Cheshire, Esquire, of Des Moines, State of Iowa, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Wednesday, March 2d, 1910, continued.

115.	Edward B. Moore, Commissioner of Patents, vs. The United States ex rel. The Newcomb Motor Co.	The argument of this cause was concluded by Mr. Frederick P. Fish, of counsel for the plaintiff in error.
119.	The Southwestern Oil Co. vs. The State of Texas.	The argument of this cause was commenced by Mr. George C. Greer, of counsel for the plaintiff in error; continued by Mr. James D. Walthall, of counsel for the defendant in error, and concluded by Mr. George C. Greer, of counsel for the plaintiff in error.
99.	The Boston Chamber of Commerce et al., vs. The City of Boston.	The argument of this cause was commenced by Mr. Charles A. Williams, of counsel for the plaintiffs in error, and continued by Mr. Thomas M. Babson, of counsel for the defendant in error.

Proclamation being made, the Court is ad

Thursday, March 3d, 1910

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

99. The Boston Chamber of Commerce et al., vs. The City of Boston. Plaintiffs in Error; The argument of this cause was continued by Mr. Thomas M. Babson, of counsel for the defendant in error, and concluded by Mr. Charles S. Hamlin, of counsel for the plaintiffs in error.

122. Southern Railway Co, et al., vs. W. W. Miller. Plaintiffs in Error; This cause was argued by Mr. John J. Strickland of counsel for the plaintiffs in error, and Mr. Reuben R. Arnold

Charles A. Davis,
Executor, &c.,
123. vs. Plaintiff in Error;
The Cleveland, Cincinnati
Chicago & St. Louis Railway
Co., et al.

The argument of this cause was commenced by Mr. Wilbur Owen, of counsel for the plaintiff in error, and continued by Mr. William A. Farnsworth, of counsel for the defendants in error.

Proclamation being made the Court is ad-

Friday, March 4th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day.
Horace H. Lurton.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry A. Gilfry, it is ordered that Edward J. Henning, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. McReynolds, it is ordered that George T. Hughes, Esquire, of Columbia, State of Tennessee, and Daniel B. Henderson, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn

Edward L. Thomas, Trustee, etc.,
131. vs. Appellant,
Solomon M. Sugarman.

On motion of Mr. John E. Lackey in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 4 of rule 26.

Charles A. Davis, Executor, etc.,
123. vs. Plaintiff in Error,
The Cleveland, Cincinnati Chicago & St. Louis Railway Co. et al.

The argument of this cause was continued by Mr. William A. Farnsworth, of counsel for the defendants in error, and concluded by Mr. Wilbur Owen, of counsel for the plaintiff in error.

The Baltimore & Ohio Southwestern Railroad Co.,
124 & 125. vs. Plaintiff in Error,
The United States.

These cases were argued by Mr. Edward Colston, of counsel for the plaintiff in error, and Mr. Solicitor General Bowers, of counsel for the defendant in error.

The Unity Banking & Saving Co.,
126. vs. Appellant,
Gilbert Bettman, Trustee,

The argument of this cause was commenced by Mr. [illegible]

counsel for the appellant, and continued by Mr. Theodore Horstman of counsel for the appellee Richard Fritz.

Proclamation being made, the Court is ad

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Joseph McKenna Associate
Oliver Wendell Holmes Justices
William R. Day.
Horace H. Lurton
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Mr. Edwin Denby, it is ordered that Paul B. Moody, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that Grant L. Martin, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Thomas S. Meng, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles L. Frailey, it is ordered that J. Arthur Lynham, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Daish, it is ordered that Eph A. Karlen, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Charles E. Rushmore, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George T. Simpson, it is ordered that Charles S. Jelley, Esquire, of Minneapolis; Lyndon A. Smith, Esquire, of Montevideo and

ville, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Winfred T. Denison, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Hochling, Jr., it is ordered that George H. Smith, Esquire, of Salt Lake City, State of Utah, and James Piper, Esquire, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

206. K. K. Knapp, as Trustee under certain deeds of trust of Standard Telephone & Electric Co., Bankrupt, Appellant, vs. The Milwaukee Trust Co. Trustee of the estate of Standard Telephone & Electric Co., Bankrupt, et al

Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.

script of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Wisconsin.

Per Mr. Justice Day.

362 The Interstate Commerce Commission, Appellant, vs. The Delaware, Lackawanna and Western Railroad Co. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

570. The Interstate Commerce Commission, vs. Northern Pacific Railway Co. Appellant; Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

468. Aluminum Co. of America, vs. George H. Ramsey Plaintiff in Error, It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

692. Solomon Brantley, vs. The State of Georgia Plaintiff in Error, On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be and

assigned for argument on Monday, April 4th next, after the cause heretofore assigned for that day.

per Mr. Chief Justice Fuller.

808. O. J. Lewis Mercantile Co., Petitioner, vs. Annie Klepner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

819. Helvetia Swiss Fire Insurance Co., Petitioner, vs. Max J. Brandenstein et al., Co-partners as M. J. Brandenstein & Co. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second

thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

In the matter of Bernard Shavahan, Petitioner — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

818

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Edward B. Moore, Commissioner of Patents, Plaintiff in Error, vs. The United States of America ex rel. The Newcomb Motor Co. — In Error to the Court of Appeals of the District of Columbia.

115.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued

now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice Fuller

115. Edward B. Moore, Commissioner of Patents, Plaintiff in Error, vs. The United States of America ex rel. The Newcomb Motor Co. On consideration of the petition for a writ of certiorari to the Court of Appeals of the District of Columbia herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

383. James A. Shine, et al., Appellants vs. Fox Brothers Manufacturing Co. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered

this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

668 The David Kaufman & Sons &c. vs. George L. Smith, Collector of the Port of Newark, New Jersey. — In Error to the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

366. Frederick A. Peckham, Appellant, vs. William Henkel, United States Marshal, &c.

367. Moses Haas, Appellant, vs. William Henkel, United

On motion of Mr. Solicitor General Bowers, of counsel for the appellee leave is hereby granted the clerk

819. Katherine Cary Cook et al, vs. Appellants, Boston Wharf Co. et al. On motion of Mr. Charles L. Frailey, in behalf of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with case No 747 and other cases, as one case on Monday, March 14th next.

12, Original. Ex parte: In the matter of Henry A. Cleland, Petitioner. On motion of Mr. De Forest Paine, of counsel for the respondent, It is ordered by the Court that the time in which to make the return to the rule to show cause herein be, and the same is hereby, extended to ten days.

776. Russell B. Harriman, vs. Appellant, C. J. Elliott, United States Marshal, etc.

777. Frank W. Brown, vs. Appellant. C. J. Elliott, United States Marshal, etc

778. E. C. Moore, vs. Appellant. C. J. Elliott, United States

The motions to admit the appellants to bail were submitted to the consideration of the Court by Mr. Henry F. Woodard and Mr. A. A. Birney in support of the same, and leave was granted counsel

file a brief in opposition thereto on or before Friday next, and to counsel for appellants to file a brief in reply thereto.

806. Sebald M. Hohl, Petitioner, vs. Norddeutscher Lloyd. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Laurence Kneeland in support of the same, and Mr. Joseph Larocque in opposition thereto—

810. Roland L. Conklin, Petitioner, vs. The Daimler Manufacturing Co., et al The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Henry M. Earle in support of the same.

595 John A. Knott et al., &c. et al., Appellants, vs. Chicago, Burlington & Quincy Railroad Co. The motion to advance these cases was submitted to the consideration of the Court on printed argu-

611. Chicago, Burlington & Quincy Railroad Co., Appellant, vs. John A. Knott et al &c., et al.

and Mr. Sanford B. Ladd for Knott et al., in support of the same, and Mr. Frank Hagerman and Mr. O'M. Spencer for the Railroad Company, in opposition thereto.

No. 24. The United States, Appellant, vs. Charles C. Elliott et al. The motion to dismiss or affirm herein was submitted to the consideration of the Court on the record and printed arguments by Mr. A. A. Hoehling, Jr., Mr. Francis K. Carey and Mr. James Piper in support of the same, and Mr. Solicitor General Bowers and Mr. Barton Conway in opposition thereto. The motion to remand the cause for additional findings of fact was submitted by Mr. Solicitor General Bowers and Mr. Barton Conway in support of the same, and Mr. A. A. Hoehling, Jr., Mr. Francis K. Carey and Mr. James Piper in opposition thereto.

Ex parte: In the matter of Charles R. Heike, Original. Petitioner. The motion for leave to file a petition for a writ of mandamus herein was submitted to the consideration of the Court on printed arguments by Mr. George S. Graham in support of the same, and Mr. Solicitor General Bowers in

134. Israel Alper, Appellant, vs. William Henkel, United States Marshal for the Southern District of New York. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

126. The Unity Banking & Saving Co., Appellant, vs. Gilbert Bettman, Trustee, etc., et al. The argument of this cause was continued by Mr. Theodore Horstman, of counsel for the appellee Fritz, and concluded by Mr. Constant Southworth, of counsel for the appellant.

127. The Missouri Pacific Railway Co., vs. Plaintiff in Error, The State of Nebraska.

128. The Missouri Pacific Railway Co., vs. Plaintiff in Error, The State of Nebraska ex rel. The Farmers' Elevator Co.

On motion of Mr. B. P. Waggener, of counsel for the plaintiff in error, leave is hereby granted to three counsel to argue these cases orally on behalf of the defendants in error.

127. The Missouri Pacific Railway Co., vs. Plaintiff in Error, The State of Nebraska

128. The Missouri Pacific Railway Co., vs. Plaintiff in Error, The State of Nebraska ex rel. The Farmers' Elevator Co.

These cases were argued by Mr. B. P. Waggener, of counsel for the plaintiff in error, Mr. William T. Thompson, of counsel for the defendant in error in No. 127, and Mr. R. C. James and Mr. Norris Brown, of counsel for the defendant in error in No. 128.

129. J. W. Frellsen & Co., vs. Plaintiffs in Error, A. W. Crandall, Register &c. et al.

On motion of Mr. J. Blanc Monroe, of counsel for the defendants in error, leave is hereby granted to three counsel to argue these cases

129 J. W. Frellsen & Co., vs. Plaintiffs in Error. A. W. Crandall, Register, etc., et al.

The argument of this cause was commenced by Mr. P. M. Milner, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned

Tuesday, March 8th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Ernest Knaebel, it is ordered that G. S. Arnold, Esquire, of New Haven, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

129 J. W. Frellsen & Co., Plaintiffs in Error, vs. A. W. Crandall, Register, etc., et al.

The argument of this cause was continued by Mr. P. M. Milner, of counsel for the plaintiffs in error, and Mr. J. Blanc Monroe, Mr. R. L. Pleasant and Mr. A. P. Pujo, of coun-

Tuesday, March 8th, 1910, continued.

by Mr. P. M. Milner, of counsel for the plaintiffs in error.

	Monserrate Garcia Maytin et al.,		The argument of these cases was commenced by Mr. N. B. K. Pettingill, of counsel for Maytin et al
90.	vs.	Appellants	
	Ricardo Vela et al		
	Beatriz de los Angeles, widow &c.,		
245.	vs.	Appellant,	
	Monserrate Garcia Maytin et al		

Proclamation being made the Court is ad-

Wednesday, March 9th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. George T. Simpson it is ordered that Frank T. White, Esquire, of Elk River, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

90. Monserrate Garcia Maytin et al., Appellants vs. Ricardo Vila et al.

245. Beatriz de los Angeles, Widow &c., Appellant vs. Monserrate Garcia Maytin et al.

The argument of these cases was concluded by Mr. N. B. K. Pettingill, of counsel for Maytin et al., and the cases

Willis Sweet, of counsel for the appellee in No. 90, and the appellant in No. 2[illegible]

Jennie Lee Williams et al.,
132. vs. Plaintiffs in Error,
The First National Bank of Paulo Valley.

This cause was argued by Mr. W. C. Davis, of counsel for the plaintiffs in error, and Mr. J. T. Bledsoe, of counsel for the defendant in error, and leave was granted counsel for the defendant in error to file an additional brief herein within two days.

Gustav Holmgren,
132. vs. Petitioner,
The United States.

This cause was argued by Mr. Assistant Attorney General Fowler, of counsel for the respondent, and submitted on a printed argument by Mr. Marshall B. Woodworth, of counsel for the petitioner, with leave to him to file an additional brief within ten days.

The Chicago, St. Paul, Minneapolis & Omaha Railway Co.,
133. vs. Appellant,
The United States.

The argument of this cause was commenced by Mr. Samuel A. Putman, of counsel for the appellant, and continued by Mr. Assistant Attorney

[illegible] argument being made, the Court [illegible] adjourned until tomorrow, at twelve [illegible]

Thursday, March 10th, 19

Pursuant to adjournment, the Court m
at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
Horace H. Lurton
John M. Wright, Esquire, M
James H. McKenney, Clerk

Proclamation being made, the Court is

127 | Missouri Pacific Railway Co., Plaintiff in Error, v. The State of Nebraska. | On motio
Robert B. M
in behalf
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is hereby
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a brief he

125 | Missouri Pacific Railway Co., Plaintiff in Error, v. The State of Nebraska ex rel The Farmers' Elevator Co.

or before Thursday next.

718. John Allen Heany, The Heany Co., and The Heany Lamp Co., vs. Edward B. Moore, Commissioner of Patents. Appellants. Appeal from the Court of Appeals of the District of Columbia

It appearing to the Court that a motion by counsel for the appellants to dismiss this appeal has been filed. Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

1144. P. R. Earling, Receiver &c., et al, vs. John Emigh et al. Plaintiffs in Error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

1033. The Chicago, St Paul, Minneapolis & Omaha Railway Co., vs. The United States. Appellant, The argument of this cause was continued by Mr. Assistant Attorney General

John L. Thompson, of counsel for the appellee, and concluded by Mr. Samuel A. Putnam of

The Citizens' National Bank et al.,
vs. Plaintiffs in Error,
The Commonwealth of Kentucky for the use and benefit of Boyle County et al.

This cause was argued by Mr. Robert P. Luscombe, of counsel for the plaintiffs in error, and Mr. John H. Yerkes, of counsel for the defendants in error.

Los Angles Farming & Milling Co.,
vs. Plaintiff in Error,
The City of Los Angeles.

The argument of this cause was commenced by Mr. R. M. Widney, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Friday, March 11th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Edward B. Pickett, Jr., Esquire, of Liberty, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eben W. Martin, it is ordered that John L. Rupe, Esquire, of Richmond, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Elliott W. Major, it is ordered that Charles G. Revelle and James T. Blair, Esquires, of Jefferson City, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Arthur R. Thompson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Daniel F. Blake, Trustee, &c., Appellant,
vs.
William Openhym & Sons

On motion of Mr. Charles Henry Butler, in behalf of counsel, leave is hereby granted the clerk to issue the mandate in this cause.

Los Angeles Farming & Milling Co., Plaintiff in Error,
vs.
The City of Los Angeles

The argument of this cause was continued by Mr. R. M. Widney, of counsel for the plaintiff in error, and by Mr. William B. Mathews and Mr. John F. Dillon, of counsel for the defendant in error, and concluded by Mr. R. M. Widney, of counsel for the plaintiff in error.

135. Al Williams, vs. Plaintiff in Error. The State of Arkansas. This cause was argued by Mr. George B. Rose, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Hal. L. Norwood and Mr. W. F. Kirby, of counsel for the defendant in error.

Proclamation being made, the Court is ad-

Monday, March 14th, 1910.

Pursuant to adjournment, the Court met to-day, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. William Alden Smith, it is ordered that Thomas Parke Bradfield, Esquire, of Grand Rapids, State of Michigan, and George S. Jones, Esquire, of Macon, State of Georgia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Attorney General Wickersham, it is ordered that James Lester Quackenbush, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he

Monday, March 14th, 1910, continued

On motion first made to the Court in this behalf by Mr. Walter F. Rogers, it is ordered that Berrenice Munger, Esquire, of Ansonia, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. S. Burleson, it is ordered that Jack Beall, Esquire, of Waxahachie, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Wayne Parker, it is ordered that Chauncey G. Parker, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard V. Lindabury, it is ordered that Robert Lynn Cox, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin S. Minor, it is ordered

State of Massachusetts, be admitted t
tice as an attorney and counsellor o
Court, and he was sworn according

On motion first made to the Court in
behalf by Mr. Maxwell Evarts, it is
that Henry S. Wardner, Esquire, of N
City, be admitted to practice as an att
and counsellor of this Court, and he wa
accordingly.

On motion first made to the Court in
behalf by Mr. John G. Johnson, it is or
that Devereux Milburn and John G.
Jr., Esquires, of New York City, and Th
Leaming, Esquire, of Philadelphia, Sta
Pennsylvania, be admitted to practice
torneys and counsellors of this Court, a
were sworn accordingly.

On motion first made to the Court in
behalf by Mr. John G. Milburn, it is orde
that Douglas Campbell, Esquire, of Lo
Valley, State of New York, be admitted t
tice as an attorney and counsellor of th
and he was sworn accordingly.

On motion first made to the Court in
behalf by Mr. Thomas B. Wilson, it is or
that John Edward Mullin, Esquire, of

On motion first made to the Court in this behalf by Mr. H. T. Newcomb, it is ordered that Morris F. Frey, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Edward C. Osborn and Joseph J. Slocum, as Trustees of the Hastings and Dakota Railway Co., Plaintiffs in Error, vs. Peter Troyseth. — In Error to the Supreme Court of the State of Minnesota.

395.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lurton.

(Mr. Justice Brewer did not sit in this case.)

The Northern Pacific Railway Co., Plaintiff in Error, vs. The State of North Dakota ex rel. J. F. McCue, Attorney General. — In Error to the Supreme Court of the State of North Dakota.

398.

This cause came on to be heard on the tran-

the State of North Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, but without prejudice to the right of the railroad company to re-open the case by appropriate proceedings if, after adequate trial, it thinks it can prove more clearly than at present the confiscatory character of the rates for coal.

Per Mr. Justice Holmes.

554 Great Northern Railway Co., Plaintiff in Error, vs. The State of North Dakota ex rel. T. F. McCue, Attorney General. In Error to the Supreme Court of the State of North Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs but without prejudice to the right of the railroad company to reopen the case by appropriate proceedings if, after adequate trial, it thinks it can prove more clearly than at present the confiscatory character of the rates for coal.

Minneapolis, St. Paul & Sault Ste. Marie Railway Co., Plaintiff in Error; vs. The State of North Dakota ex rel P. F. McCue, Attorney General — In Error to the Supreme Court of the State of North Dakota.

No. 57.

The cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, but without prejudice to the right of the railroad company to reopen the case by appropriate proceedings if, after adequate trial, it thinks it can prove more clearly than at present the confiscatory character of the rates for coal.

per Mr. Justice Holmes

Alberto Will, doing business under the name of Will & Co. et al., Appellants; vs. Joaquin Tornabelle, doing business under the firm name of J. Tornabelle & Co., et al. — Appeal from the District Court of the United States for Porto Rico.

No. 63.

The cause came on to be heard on the tran-

of the United States for Porto Rico, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice White.

736 Thomas Franklin, Plaintiff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court will take a recess from Monday, the 21st instant to Monday, April 4th next.

Edward G. Lewis. In Error to the
202. vs. Plaintiff in Error, District Court of the
The United States. United States for the
Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Missouri and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

John B. Mallers, In Error to the
726. vs. Plaintiff in Error, Supreme Court of
Commercial Loan & Trust Co. the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of Arthur Hewett and Tom A. Keating. Petitioners
Original

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

Charles R. Heike, Plaintiff in Error.
vs.
The United States.

On consideration of the motion to vacate the allowance of the writ of error and supersedeas herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied without prejudice to a motion to dismiss the writ.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Charles R. Heike. Petitioner
Original.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that the answer of the District Judge of the United States for

Court of the United States for the Southern District of New York, and of the said Circuit Court, to said petition be, and the same is hereby, taken as a return to a rule to show cause entered on said petition. It is further ordered that said rule be thereupon made absolute and the respondents are hereby ordered to enter judgment for the United States upon the verdict with leave to the defendant to plead over.

Per Mr. Chief Justice Fuller.

The United States
321. vs. Appellant,
Charles C. Ellicott et al.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm and to remand the cause for additional findings of fact be, and the same is hereby, postponed to the hearing of the case on its merits.

Per Mr. Chief Justice Fuller

John A. Knott et al,
595 vs. Appellants
Chicago, Burlington & Quincy Railroad Co.

Chicago, Burlington & Quincy Railroad Co.,
611. vs. Appellant,
John A. Knott et al

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the

argument as one case on Tuesday, October 11th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller

776. Russell B. Harriman vs. C. T. Elliott U. S. Marshal &c
777. Frank W. Brown, vs. C. T. Elliott, U. S. Marshal &c.
778. E. C. Moore, vs. C. T. Elliott, U. S. Marshal &c.

Appellant

On consideration of the motions to admit the appellants to bail, pending these appeals, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said motions be, and the same are hereby, severally, denied.

per Mr. Chief Justice Fuller

806. Sebald M. Stohl, vs. Norddeutscher Lloyd. Petitioner.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said

per Mr. Chief Justice Fuller.

510. Roland P. Conklin, Petitioner, vs. The Daimler Manufacturing Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

490 The United States, Plaintiff in Error, vs. Pierre Grimaud and J. P. Larajous. In Error to the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Fuller.

491. The United States. Plaintiff in Error, vs. Antonio Ibida. In Error to the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller

124. The Baltimore & Ohio Southwestern Railroad Co., Plaintiff in Error, vs. The United States. In Error to the United States Circuit Court of Appeals for the Sixth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed;

hereby remanded to the District Court of the United States for the Southern District of Ohio.

Per Mr. Chief Justice Fuller.

125. The Baltimore & Ohio Southwestern Railroad Co., Plaintiff in Error, vs. The United States — In Error to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Ohio.

Per Mr. Chief Justice Fuller.

824. D. L. Henderson, Trustee &c., Petitioner, vs. Sam Mayer. — The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. John R. L.

639 H. C. Cook Co., Plaintiff in Error, vs. Frank A. Bucher et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Verrenice Munger, of counsel for the plaintiff in error. No brief was filed for the defendants in error.

150 Harry T. Herndon, Prosecuting Attorney &c., et al., Appellants, vs. The Chicago, Rock Island & Pacific Railway Co.

151 John E. Swanger, Secretary of State of the State of Missouri, Appellant, vs. The Atchison, Topeka & Santa Fe Railway Co.

Mr. Elliott W. Major, of counsel for the appellants, moved the Court to substitute Cornelius Roach, the successor of John E. Swanger, as Secretary of State of the State of Missouri, as a party appellant in these cases, pursuant to a stipulation of counsel. Whereupon, It is now here ordered by the Court that the said Cornelius Roach as Secretary of State of the State of Missouri, be, and he is hereby, made a party appellant in these cases.

161 Missouri, Kansas & Texas Railway Co., Plaintiff in Error, vs. H. A. Hollan. The motion to dismiss or affirm and for damages in this cause was

consideration of the court on the record and printed arguments by Mr. C. B. Randell and Mr. Judson A. Wood in support of the same, and Mr. James Hagerman, Mr. Cecil A. Smith, and Wm. James M. Bryson in opposition thereto.

177. Missouri, Kansas & Texas Railway Co., Plaintiff in Error, vs. Harry C. Wise. The motion to dismiss or affirm and for damages in this cause was submitted to the consideration of the court on the record and printed arguments by Mr. C. B. Randell and Mr. Judson A. Wood in support of the same, and Mr. James Hagerman, Mr. Cecil A. Smith, and Wm. James M. Bryson, in opposition thereto.

826. Frank H. Wackey, Petitioner, vs. J. J. Chambers. The petition for a writ of certiorari herein was submitted to the consideration of the court by Mr. Albert Fink, Mr. Joseph C. Campbell and Mr. W. A. Mitton in support of the same.

781. The Coastwise Transportation Co. Owner, &c., Petitioner, vs. The Steamship "Edda" &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward E. Blodgett in support of the same, and Mr. Edward S. Dodge in opposition thereto.

474 James A. Hoey, Plaintiff in Error, vs. The United States. Mr. John Lewis Smith, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

807 Mrs. Lee Maner, Petitioner, vs. The Penn Mutual Life Insurance Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Jack Beall, Mr. William L. Crawford and Mr. M. L. Crawford in support of the same, and Mr. Maurice E. Locke in opposition thereto.

724 Horace Chase, individually &c., Plaintiff in Error, vs. Leonard A. Phillips et al. The motion to dismiss or affirm in this cause was sub-

the record and printed arguments by Mr Moorfield Storey and Mr. Ezra R. Thayer in support of the same, and Mr. Frederic D. McKenney, Mr. Joseph A. Soliday and Mr. Richard Y. Fitzgerald in opposition thereto—

725 Standard Oil Co., et al., Appellants, vs. The United States. On motion of Mr. Attorney General Wickersham, of counsel for the appellee, eleven hours and a half are hereby granted for the argument of this cause.

725. Standard Oil Co., et al., Appellants, vs. The United States. The argument of this cause was commenced by Mr. John G. Milburn, of counsel for the appellants—

Proclamation being made, the Court is ad

Tuesday, March 15th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Hugh A. Bayne, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Warren Keifer, it is ordered that Chase Stewart, Esquire, of Springfield State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Rossa F. Downing, it is ordered that George A. Burry, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Grant, it is ordered that Joseph U. Sweeney, Esquire, of El Paso, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Victor Morawitz, it is ordered that Howard Van Sinderen, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Sol M. Stroock, it is ordered that Edward S. Brownson, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered

Tuesday, March 15th, 1910, continued

New York City, and George R. E. Gilchrist, Esquire, of Wheeling, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Spalding Flannery, it is ordered that F. Zimmerman, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

725. Standard Oil Co., et al., Appellants, vs. The United States

The argument of this cause was continued by Mr. John G. Milburn, of counsel for the appellants; Mr. Frank B. Kellogg, of counsel for the appellee, and Mr. D. T. Watson, of counsel for the appellants.

Proclamation being made, the Court is ad-

Wednesday, March 16th, 1910.

Pursuant to adjournment, the court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr. E. C. Hughes, it is ordered that John P. Gray, Esquire, of Wallace, State of Idaho, and Elmer E. Todd, Esquire, of Seattle, State of Washington, be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

On motion first made to the court in this behalf by Mr. Andrew J. Peters, it is ordered that Harris Livermore, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court

On motion first made to the Court in this behalf by Mr. A. R. Thompson, it is ordered that Charles D. Drayton, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank B. Kellogg, it is ordered that E. G. Mills, Esquire, of Superior, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. P. Pujo, it is ordered that R. E. Crawford, Esquire, of Austin, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David T. Marvel, it is ordered that Josiah Marvel, Esquire, of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

725. Standard Oil Co., et al., Appellants, vs. The United States. The argument of this cause was continued by Mr. D. T. Watson, of counsel for the appellants, and Mr. Attorney General Wickersham, of counsel for the appellee, and concluded by Mr. John G. Johnson, of counsel for the appellants. Leave was granted counsel on both sides to file additional briefs herein within ten days.

Proclamation being made, the Court adjourned

Thursday, March 17th. 1910.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that John A. Ehrhardt, Esquire, of Stanton, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Littlefield, it is ordered that Edward W. Wheeler, Esquire, of Brunswick, and Frank E. Guernsey, Esquire, of Dover, State of Maine, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. P. Pugs, it is ordered that John J. Robira, Esquire, of Crowley, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Daish, it is ordered that Freman Fitchian Zimmerman, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that John M. Fenn, Esquire, of Houston, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

3, Original. vs. Commonwealth of Virginia, Complainant, State of West Virginia

Mr. Charles E. Littlefield, the commissioner appointed herein, presented his report. Whereupon, It was ordered that the same be filed, and that the parties be given thirty days in which to file exceptions thereto, if they be so advised.

747. Stella P. Flint, as guardian &c, Appt, vs. Stone Tracy Co., et al
751. Wyckoff Van Verhoef, Appt, vs. The Coney Island & Brooklyn R.R. Co. et al
752. Francis L. Stone, Appt, vs. Home Life Insurance Co., et al
753. Fred W. Smith, Appt, vs. The Northern Trust Co. et al.
754. William A. Miner, Appt, vs. The Corn Exchange Nat'l Bank of Chicago et al
757. Cedar Street Co., Appt, vs. Park Realty Company
767. Lewis W. Jared, Appt, vs. The American Multigraph Co. et al
775. Joseph E. Gay, Appt., vs. The Baltic Mining Co. et al
784. Percy A. Brundage, Appt, vs. Broadway Realty Co. et al.
785. Paul Lacroix, Appt, vs. Motor Taximeter Cab Co., et al
796. Arthur Lyman, et al., Appts, vs. Interborough Rapid Transit Co. et al.
797. George W. Phillips, Appt, vs. Fifty Associates et al.
800. Oscar Mitchell, Appt, vs. Clark Iron Co. et al.
816. William F. Fluhrer, et al, Appts, vs. New York Life Insurance Co
819. Katherine Cary Cook et al, Appts, vs. Boston Wharf Co. et al

It is ordered by the Court that eight hours be, and the same are hereby, allowed for the argument of these cases. The argument of these cases was commenced by Mr. Maxwell Evarts, of counsel for the appellant in No. 747, and continued by Mr. C. A. Williams, of counsel for the appellants in No. 816; Mr. Richard Reid Rogers, of counsel for the appellants in No. 796; Mr. Edward Osgood Brown, of counsel for the appellants in Nos. 753 and 754; Mr. J. B. Foraker, of counsel for the appellant in No. 767; Mr. Richard V. Lindabury, of counsel for the appellants in Nos. 751 and 752, and by Mr. Solicitor General Bowers for The United States (by special leave of Court.)

Friday, March 18th, 1910.

Pursuant to adjournment, the court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White Associate
Joseph McKenna Justices
Oliver Wendell Holmes.
William R. Day
Horace H. Lurton
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the court is opened

On motion first made to the court in this behalf by Mr. Solicitor General Bowers, it is ordered that Robert Foster James, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. F. J. Stimson, it is ordered that John Tyler Wheelwright, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

behalf by Mr. Conrad H. Syme, it is ordered that Thomas Lincoln Chadbourne, Jr., and Frederick Hoff, Esquires, of New York City, and Edward R. Baird, Jr., Esquire, of Norfolk, State of Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

353. Edward Thompson Co., Appellant, vs. American Law Book Co. Appeal from the United States Circuit Court of Appeals for the Second Circuit.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Justice Fuller.

747. Stella P. Flint as guardian, Appt, vs. Stone Tracy Co., et al.
751. Wyckoff Van Derhoef, Appt, vs. The Coney Island & Brooklyn R.R. Co. et al
752. Francis L. Hine, Appt, vs. Home Life Insurance Co. et al
753. Fred W. Smith, Appt, vs. The Northern Trust Co., et al
754. William A. Miner, Appt, vs. The Corn Exchange Nat'l Bank of Chicago et al
757. Cedar Street Co., Appt, vs. Pure Realty Co.
767. Lewis W. Jarud, Appt, vs. The American Multigraph Co. et al
775. Joseph E. Gay, Appt, vs. The Baltic Mining Co. et al
784. Percy A. Brundage, Appt, vs. Broadway Realty Co., et al
785. Paul Lacroix, Appt, vs. Motor Taximeter Cab Co., et al.

797. George W. Phillips, Appt, vs. Fifty Associates et al.
800. Oscar Mitchell, Appt, vs Black Iron Co. et al
816. William F. Fluhrer, et al, Appts, vs New York Life Insurance Co.
819. Katherine Cary Cook et al, Appts, vs. Boston Wharf Co. et al.

The argument of these cases was continued by Mr. Solicitor General Bowers for The United States (by special leave of Court); by Mr. William D. Guthrie, of counsel for the appellees in No. 797, and concluded by Mr. John G. Johnson, of counsel for the appellants in Nos. 797 and 819. Leave was granted to Mr. Julien T. Davies and to Mr. Solicitor General Bowers to file additional briefs herein

Proclamation being made, the Court is adjourned

Monday, March 21st, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers it is ordered that Chester M. Dawes, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Borah, it is ordered that B. B. Adams, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. A. J. Gordon Kane, it is ordered that John J. Schwartz, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Miles Poindexter, it is ordered that Johnston B. Campbell, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin P. Grosvenor, it is ordered that Emlen Hare Miller, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Townsend, it is ordered that Frederick M. Freeman, Esquire, of Manchester, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank W. Hackett, it is ordered

Monday, March 21st, 1910, continued

State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Alphens Johnson, it is ordered that Walton Harrison, Esquire, of Bloomfield State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monserrate Garcia Martin, Dominga Garcia Martin et al,		Appeal from the Supreme Court of Porto Rico.
90.	vs. Appellants	
Ricardo Vela, Jose Quijano et al		

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Beatriz de Los Angeles, Widow of Mr. Alos,
245 vs. Appellant,
Monserrate and Dominga Garcia Maytin and Ana Marien y Davila, as Representative of her Husband, Mr. Angel Garcia Maytin

Appeal from the Supreme Court of Porto Rico.

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Justice Holmes

Jennie Lee Williams, B. L. Williams Jr. & S. T. Williams,
130 vs. Plaintiffs in Error
The First National Bank of Pauls Valley.

In Error to the Supreme Court of the State of Oklahoma

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

212. Wilson R. Hunter, Plaintiff in Error, vs. Mutual Reserve Life Insurance Co. On consideration of the motion for an order requiring the receivers of the defendant in error to become parties to this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied without prejudice to an application to the Court appointing such receivers for leave to apply for the order desired.

Per Mr. Chief Justice Fuller.

161. Missouri, Kansas & Texas Railway Co., Plaintiff in Error, vs. A. A. Hollan. In Error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of

hereby, dismissed for the want of jurisdiction
per Mr. Chief Justice Fuller.

177. Missouri, Kansas & Texas Railway Co., vs. Harry L. Wise, Plaintiff in Error. In Error to the Supreme Court of the State of Texas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller

174. James H. Holt, vs. The United States, Plaintiff in Error. On consideration of of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 11th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller

Horace Chase, Individually and as Administrator of the Estate of De Forest Wooduff Chase, deceased. vs. Leonard H. Phillips, Charles E. Phillips, Gage A. Mosley et al.

724. Plaintiff in Error,

In Error to the Supreme Judicial Court of the State of Massachusetts

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr Chief Justice Fuller.

The Coastwise Transportation Co., Owner of Schooner "Sagamore". vs. The Steamship "Edda", Christopher P. Meidell, Claimant.

737. Petitioner.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and

Monday, March 21st, 1910, continued.

802 Mrs Lee Maner, Petitioner, vs. The Penn Mutual Life Insurance Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

824 B. L. Henderson, Trustee in Bankruptcy of Joseph Burns, Bankrupt, Petitioner, vs. Sam Mayer On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

834. Cornell Steamboat Co., Petitioner, vs. Annie Van Fallon, as Administratrix, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Amos Van Etten and Mr. J. Parker Kirlin in support of the same, and Mr. Nelson Zabriskie in opposition thereto.

844. In re Charles A. Thatcher Plaintiff in Error. Mr. O. E. Harrison, of counsel, having filed in open court the following certificate, to wit:

"Supreme Court of the State of Ohio.

I, John S. McCutt, Clerk of the Supreme Court of Ohio, do hereby certify that in a certain cause pending in said Court, entitled In re Charles A. Thatcher, a final judgment was rendered by said Court on the 25th day of June, A. D. 1909, against the said Charles A. Thatcher, and that on the 29th day of June, A. D. 1909, said Charles A. Thatcher filed out a writ of error to said Circuit Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court, at Columbus, Ohio, this 15th day of February, A. D. 1910.

Seal.

and moved the Court to docket and dismiss this cause pursuant to the 4th rule; and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Ohio, be and the same is hereby, docketed and dismissed; and that this cause be and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

462. Newman Baum, Bankrupt, Petitioner, vs. James A. Comer, Trustee. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. J. W. Blackwood and Mr. M. M. Cohn in support of the same.

706. William J. Huguley, Petitioner, vs. Atlantic Coast Line Railroad Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John M. Thurston and Mr. Frederick J. Woodman in support of the same.

Ex parte: In the matter of the Cudahy Packing Co. Original Petitioner

Mr. A. B. Browne, in behalf of counsel for the petitioner submitted to the consideration of the court a motion for leave to file a petition for a writ of mandamus herein.

American Land Co. vs. Louis Zeiss

1/283

The motion to advance this cause or to dismiss the certificate herein was submitted to the consideration of the court on the record and printed arguments by Mr. Charles Page, Mr. E. J. McCutchen and Mr. Samuel Knight, of counsel for the American Land Co., and, on motion of Mr. George E. Hamilton in that behalf, leave was granted to Mr. Garret W. McEnerney to file a printed brief herein as amicus curiae.

The Baltimore & Ohio Southwestern Railroad Co., Plaintiff in Error, vs. The United States.

124 & 125.

Mr. Edward Colston, of counsel for the plaintiff in error, submitted to the consideration of the court a motion to remand these cases to the District Court of the United States for the Southern District of Ohio, with an order affirming the judgment of that court;

727. Singer Manufacturing Co., Appellant, vs. Wirt Adams, State Revenue Agent, etc., et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the court on printed arguments by Mr. Edward Mayer in support of the same, and Mr. C. A. Alexander in opposition thereto—

Proclamation being made the court is ad-

Monday, April 4th, 1910.

Pursuant to adjournment the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in that behalf by Mr. Frank B. Kellogg, it is ordered that Frank D. Adams, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in that behalf by Mr. George A. Howard, it is ordered that Marshall A. Christy, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Edward A. Moseley, it is ordered that Hugh L. Dickson, Esquire, of San Bernardino, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that Clarence B. Miller and Victor H. Gran, Esquires, of Duluth; Conrad H. Christopherson, Esquire, of Luverne, and Christian G. Dorland, Esquire, of Moorhead, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Needham, it is ordered that William A. Brady, Esquire, of San Jose, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Humphrey, it is ordered that Philip E. Tripp, Esquire, of Fall River, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. W. J. Stone, it is ord
Abram M. Fruhberg, Esquire, of
State of Missouri, be admitted to pr
an attorney and counsellor of this
he was sworn accordingly.

On motion first made to the Court i
by Mr. A. T. Newcomb, it is ordered th
Lauterbach and Charles L. Craig, Es
New York City, be admitted to practi
ney and counsellors of this Court, a
were sworn accordingly.

On motion first made to the Court i
by Mr. L. S. Bacon, it is ordered tha
Fowler, Esquire, of the District of Col
admitted to practice as an attorney
sellor of this Court, and he was sworn

On motion first made to the Court i
by Mr. Wade H. Ellis, it is ordered th
mand Jelke, Jr., Esquire, of Cincinna
Ohio, be admitted to practice as an
and counsellor of this Court, and he w
accordingly.

On motion first made to the Court i
half by Mr. James C. Jeffrey, it is order
Herbert J. Campbell, Esquire, of Chicago,
Illinois, be admitted to practice as an

accordingly.

On motion first made to the Court in this behalf by Mr. Daniel Davenport, it is ordered that Jacob B. Klein, Esquire, of Bridgeport, State of Connecticut, and Percival D Oviatt, Esquire, of Rochester, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Henderson, it is ordered that William Preston Bynum and Garland S. Ferguson, Jr., Esquires, of Greensboro, State of North Carolina, and Lewis P. Shackleford, Esquire, of Juneau, Terry of Alaska, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Hart, it is ordered that Hamilton McWhorter, Esquire, of Athens, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Orville T. Smith, Esquire, of Guthrie, and E. G.

Oklahoma be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

1449. John Wynne, vs. Plaintiff in Error; The United States — In Error to the District Court of the United States for the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Lurton.

122. Southern Railway Co., Ed S. Hurst, Benj. Voils and Tom Cox, vs. Plaintiffs in Error; W. M. Miller. — In Error to the Court of Appeals of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

137. Los Angeles Farming and Milling Company, Plaintiff in Error, vs. The City of Los Angeles — In Error to the Supreme Court of the State of California

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr Justice Day.

99. The Boston Chamber of Commerce, The Central Wharf and Wet Dock Corporation and The Boston Five Cents Savings Bank, Plaintiffs in Error, vs. The City of Boston — In Error to the Superior Court of the State of Massachusetts

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby affirmed with costs.

127. The Missouri Pacific Railway Co., Plaintiff in Error, vs. The State of Nebraska. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Holmes.

123.

Dissenting:
Mr. Justice Harlan
Mr. Justice McKenna

128. The Missouri Pacific Railway Co., Plaintiff in Error, vs. The State of Nebraska ex rel. The Farmers' Elevator Co. of Krausville, Nebraska. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On con-

adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Holmes.

Dissenting:
Mr. Justice Harlan
Mr. Justice McKenna

Charles A. Davis, Executor of the Estate of Frank E. Landt, deceased.
vs. Plaintiff in Error.
Cleveland, Cincinnati Chicago & St. Louis Railway Co. et al

In Error to the Circuit Court of the United States for the Northern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed in accordance

822 Monday, April 4th, 1910, co

The Chicago, St. Paul, Minneapolis & Omaha Railway Co., Appellant, vs. The United States

Appeal f
Court of

This cause came on to be heard on th
of the record from the Court of Claims
was argued by counsel. On consideration
whereof, It is now here ordered and
by this Court that the judgment of
Court of Claims in this cause be, and
is hereby, affirmed

Per Mr. Justice

408 Robert H. Todd, Appellant, vs. Higinio Romeu.

Appeal from
Court of the Un
for Porto Rico.

This cause came on to be heard on th
script of the record from the District C
the United States for Porto Rico, and wa
by counsel. On consideration whereof,
now here ordered, adjudged and dec
this Court that the decree of the said D
Court in this cause be, and the same
affirmed with costs.

Per Mr. Justice W

St. Louis Southwestern Railway Co., Plaintiff in Error; vs. The State of Arkansas. In Error to the Supreme Court of the State of Arkansas.

111.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice White.

Dissenting:
Mr. Chief Justice Fuller.

The Southwestern Oil Co., Plaintiff in Error; vs. The State of Texas. In Error to the Supreme Court of the State of Texas.

119

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of

International Text Book Co. In Error to the
15. vs. Plaintiff in Error, Supreme Court of
Aaron T. Pigg. the State of Kansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Harlan

Dissenting:
Mr. Chief Justice Fuller
Mr. Justice McKenna.

The Unity Banking & Saving Co., Appeal from the
126. vs. Appellant, United States Circuit
Gilbert Bettman, Trustee Court of Appeals for
of Holzman & Co., Bankrupts, the Sixth Circuit.
and Richard Fritz.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was

It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Ohio.

Per Mr. Justice Harlan.

129. J. W. Frellsen & Co., a Partnership composed of Joseph W. Frellsen and James D. Hill, Plaintiffs in Error, vs. A. W. Crandell, Register of the State Land Office, et al. In Error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Opinion per Mr. Justice Brewer.

Announced by Mr. Chief Justice Fuller.

135. Al Williams
vs. Plaintiff in Error,
The State of Arkansas. In Error
Supreme
the State of

This cause came on to be heard on the
of the record from the Supreme Court of
of Arkansas, and was argued by coun
consideration whereof, It is now here
and adjudged by this Court that the
of the said Supreme Court in this cau
the same is hereby affirmed with cos

Per Mr. Chief Justice

72[illegible]

Singer Manufacturing Co., Appeal fro
Appellant,
vs. United Sta
Wirt Adams, State Revenue Court of Ap
Agent of the State of Mississippi, the Fifth
et al.

This cause came on to be heard on the tr
of the record from the United States Ci
Court of Appeals for the Fifth Circuit, a
motion to dismiss or affirm, which was
by counsel. On consideration whereof,
now here ordered, adjudged and decre
this Court that this appeal be, and the
hereby, dismissed for the want of a fina

Per Mr. Chief Justice

Ex parte: In the matter of The Cudahy Packing Co., Petitioner
16 Original

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Cudahy Packing Co., Petitioner
16 Original

On consideration of the petition for a writ of mandamus herein, It is now here ordered by the Court that cause be shown by the Honorable Thomas C. Munger, Judge of the District Court of the United States, holding the Circuit Court of the United States for the District of Nebraska, Omaha Division, before this Court, at the City of Washington, on Thursday, April 14, 1910, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Fuller.

1211 The Baltimore & Ohio Southwestern Railroad Co., Plaintiff in Error, vs. The United States.

1207 The Baltimore & Ohio Southwestern Railroad Co., Plaintiff in Error, vs. The United States.

On consideration of the petition for a rehearing in these cases, It is now here ordered by the Court that said petition be, and the same is hereby, granted, and the cases restored to the docket for reargument, and assigned to be heard on Tuesday, October 11th next, after the cases heretofore assigned for that day

per Mr. Chief Justice Fuller.

1463 American Land Co., vs. Louis Zeiss

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 11th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

826 Frank H. Wackey, Petitioner vs. J. J. Chambers.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ of

Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller

462. Newman Baum, Bankrupt. Petitioner, vs. James A. Comer, Trustee, &c. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller

706. William T. Huguley. Petitioner, vs. Atlantic Coast Line Railroad Co., et al On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is

tition be, and the same is hereby, den
Per Mr. Chief Justic

534 Cornell Steamboat Co., vs. Petitioner. Annie V. Fallon, as Administratrix, etc., of Thomas J. Fallon, deceased. On petition for certio-rari to United State Court of App the Second C

On consideration of the petition for a writ certiorari herein to the United States Circ of Appeals for the Second Circuit, and of ment of counsel thereupon had, as well in port of as against the same, It is now ordered by the Court that said petition be, and the same is hereby, denied

Per Mr. Chief Justice

The reporter having represented that to the number of decisions at the present it would be impracticable to put the re one volume, It is therefore now here ord he publish an additional volume in the pursuant to Section 681 of the Revised Sta

Per Mr. Chief Justice

835. George M. Nowell, et al., Petitioners; vs. The International Truck Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Joseph B. Church and Mr. George M. Nowell in support of the same, with leave to counsel for respondent to file a brief in opposition thereto within one week.

841. S. Graeme Harrison, Petitioner, vs. The Philadelphia Contributionship for the Insurance of Houses from Loss by Fire. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. R. Mason Lisle in support of the same.

244. David Munro Rogers et al., Infants, etc., et al., Plaintiffs in Error, vs. Clark Iron Co., et al. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John G. Williams, Mr. Joseph B. Colton and Mr. William R. Begg in support of the same, and Mr. John B. Richards in opposition thereto

Ex parte, In the matter of W. L. Coyle & Co., Petitioners — Original — The motion to file a p a writ of herein was to the consideration of the Court on pre sented by Mr. Charles Longue in suppo same, and Mr. Edwin J. Merrick an D. Grace in opposition thereto-

843. German Alliance Insurance Co., vs. Petitioner, Home Water Supply Co. — The p a wor rari was p

to the consideration of the Court by Mr Cubell in support of the same

Wilson R. Hunter, vs. Plaintiffs in Error. The Mutual Reserve Life Insurance Co. — The moti order req the recor defendan to become

herein was re-submitted to the consider the Court on printed arguments by Mr Armitage in support of the same, and William Beverly Winslow in opposition the

531. E. L. Coffin et al &c., vs. Petitioners Charles R. Flint — The petition for certiorari here submitted to th eration of the C

C. Studwick and Mr. E. J. Justice in support of the same, and Mr. Jamel A. Morrison and Mr. J. Frank Snyder in opposition thereto.

The Southern Paving & Construction Co. vs. The City of Greensboro. 540. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. P. Bynum and Mr. Alfred S. Barnard in support of the same, and Mr. E. J. Justice in opposition thereto.

Ex parte: In the matter of The State of Oklahoma. Original Petitioner. 13 & 14. On motion of Mr. Joseph S. Graydon, leave is hereby granted him to file a printed brief herein as amicus curiae.

Ex parte: In the matter of The State of Oklahoma, Original Petitioner. 14. On motion of Mr. S. T. Bledsoe, leave is hereby granted him to file a printed brief herein as amicus curiae.

Henry L. Hertz, Collector, &c., vs. Gordon O. Woodman et al., as Executors, &c. 640. On motion of Mr. Wade H. Ellis in behalf of counsel, It is ordered by the Court that this

Ex parte: In the matter of Henry A. Cleland, Petitioner.
12, Original

This cause was argued by Mr. C. D. Joslyn, of counsel for the petitioner, and Mr. De Forest Price, of counsel for the respondent

Ex parte: In the matter of The State of Oklahoma, Petitioner.
13 & 14. Original

The argument of these cases was commenced by Mr. Fred S. Caldwell, of counsel for the petitioner, and continued by Mr. S. T. Bledsoe, of counsel for the respondent in No. 14, Original

Proclamation being made, the Court is adjourned

Tuesday, April 5th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William J. Hendrick, it is ordered that Eugene M. Berard and Samuel Howland Hoppin, Esquires, and Adelma H. Burd, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Newlett, it is ordered that James M. Pope, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

223 & 224. The Eastern Kentucky Coal Lands Corporation, vs. Plaintiff in Error, The Commonwealth of Kentucky.

Mr. W. J. Hendrick, of counsel for the plaintiff in error, submitted to the consideration of the court a motion to advance these cases.

1, Original. The State of Maryland, vs. Complainant, The State of West Virginia.

On motion of Mr. Joseph Holt Gaines in behalf of counsel, It is ordered by the court that the time for entry of decree and appointment of commissioners herein be, and the same is hereby, extended to May 1st next, per stipulation of counsel.

663. The Interstate Commerce Commission, vs. Appellant, The Chicago, Rock Island & Pacific Railway Co. et al.

664. Burnham, Hanna, Munger Dry Goods Co., et al., vs. Appellants, The Chicago, Rock Island & Pacific Railway Co., et al.

On motion of Mr. Frederick Manley Ives, leave is hereby granted him to file a printed brief herein as amicus curiae.

Ex parte: In the matter of The State of Oklahoma, Original Petitioner. The argument of this case was concluded by Mr. Joseph H. Bailey, of counsel for the petitioner.

1381 4

The Interstate Commerce Commission, Appellant
663. vs.
The Chicago, Rock Island & Pacific Railway Co., et al
Burnham, Hanna, Munger Dry Goods Co., et al.,
664 vs. Appellants,
Chicago, Rock Island & Pacific Railway Co., et al
The Interstate Commerce Commission,
641. vs. Appellant,
The Chicago, Burlington & Quincy Railroad Co.

On motion of Mr Wade H. Ellis, of counsel, It is ordered by the Court that one half hour additional time be allowed each side in the argument of these cases and that four counsel be allowed to make oral argument in these cases for the appellees and appellants in No. 664.

663 The Interstate Commerce Commission, vs. Appellant, Chicago, Rock Island & Pacific Railway Co. et al. Burnham, Hanna, Munger Dry Goods Co., et al.

664 vs. Appellants Chicago, Rock Island & Pacific Railway Co., et al. The Interstate Commerce Commission,

665 vs. Appellant, The Chicago, Burlington & Quincy Railroad Co.

The argument of these cases was commenced by Mr. Wade H. Ellis, of counsel for The Interstate Commerce Commission, and continued by Mr. John H. Atwood, of counsel for the appellants in case No. 664, and Mr. William D. McHugh and Mr. C. C. St. Fyffe, of counsel for the appellees.

Proclamation being made, the Court is adjourned

Wednesday April 6th 1910

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in that behalf by Mr. William A. Colston, it is ordered that James M. Graham, Esquire, of Springfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in that behalf by Mr. Swagar Shirley, it is ordered that Edward S. Jouett, Esquire, of Winchester, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

663.	The Interstate Commerce Commission, Appellant, vs. The Chicago, Rock Island & Pacific Railway Co., et al.	The argu... then ca... continue... Samuel ... of counse... appellee ... 641, and ... M. Walte... see for th... Commerc... sion, and... by Mr. Jo... Webster, ... for the ap... in eac...
664.	Burnham, Hanna, Munger Dry Goods Co., et al., Appellants, vs. The Chicago, Rock Island & Pacific Railway Co., et al.	
641.	The Interstate Commerce Commission, Appellant, vs. The Chicago, Burlington & Quincy Railroad Co.	
692.	Solomon Brantley, Plaintiff in Error, vs. The State of Georgia.	This cau... gued by ... Randolph ... of counse...

plaintiff in error, and submitted on a p... argument by Mr. John C. Hart, of cou... the defendant in error.

139.	Sheelin-Carpenter Co. et al., Plaintiffs in Error, vs. The State of Minnesota	This cau... argued ... Frank B... of counse...

plaintiffs in error, and Mr. George T. S... of counsel for the defendant in error.

Wednesday April 6th 1910, continued

140	Southern Railway Co., vs. Petitioner Mrs. Josephine King	The argument of these cases was commenced by Mr. J. J. Strickland, of counsel for the petitioner.
141	Southern Railway Co., vs. Petitioner, Inez King by her next friend, Mrs. Josephine King	

Proclamation being made, the Court is adjourned

Thursday, April 7th, 1910

Pursuant to adjournment, the court at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, C
James H. McKenney.

Proclamation being made, the court

On motion first made to the court in by Mr. William Henry Dennis, it ic that George Th. Thomaides, Esquire, of ton, District of Columbia, and Alfred Esquire, of Denver, State of Colorado, ted to practice as attorneys and coun of this court, and they were sworn ac

On motion first made to the court in behalf by Mr. Frank B. Brandegee, it dered that Ernest L. Averill, Esquire Wallingford, State of Connecticut, be to practice as an attorney and coun this court, and he was sworn accor

140 Southern Railway Co., Petitioner,
vs.
Mrs. Josephine King

141. Southern Railway Co., Petitioner,
vs.
Inez King by her next friend, Mrs. Josephine King.

The argument of these cases was continued by Mr. J. J. Strickland, of counsel for the petitioners, and Mr. Reuben R. Arnold, of counsel for the respondentes, and concluded by Mr. J. J. Strickland, of counsel for the petitioners.

112. Robert L. Owen, Plaintiff in Error,
vs.
Dudley S. Michener

The argument of this cause was commenced by Mr. W. H. Robeson, of counsel for the plaintiff in error, and continued by Mr. Charles Poe, of counsel for the defendant in error.

Proclamation being made, the Court is ad-

Friday April 8th 1910

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Hunter C. Leake, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry S. Boutell, it is ordered that David S. Wegg and Adolph D. Weiner, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this

that Wells M. Cook, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Sulzer, it is ordered that Herman J. Schulteis, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Curtis, it is ordered that James W. Orr, Esquire, of Atchison, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Robert L. Owen,
142. vs. Plaintiff in Error;
Dudley & Michener.

The argument of this cause was continued by Mr. Charles Poe and Mr. Samuel A. Putman, of counsel for the defendants in error, and concluded by Mr. W. A. Robeson, of counsel for the plaintiff in error; and leave was granted counsel for the plaintiff in error to file an additional brief.

143. Joseph Wenar, Appellant, vs. William A. Jones, Bishop of Porto Rico. This cause was submitted to the consideration of the court on the record and a printed argument by Mr. Paul Fuller and Mr. Howard Thayer Kingsbury, of counsel for the appellee, and leave was granted counsel for the appellant to file a printed brief hereafter.

145. William W. Stewart, Appellant, vs. Lewis A. Griffith, Extr &c. The argument of this cause was commenced by Mr. James E. Pudgett, of counsel for the appellant, and continued by Mr. Charles H. Merillat and Mr. George R. Gaither, of counsel for the appellee

Proclamation being made, the court is adjourned

Monday, April 11th. 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Edward D. White
Joseph McKenna Associate
Oliver Wendell Holmes Justices
William R. Day
Horace H. Lurton
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that George H. Calvert, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Thompson, it is ordered that Lawrence T. Allen, Esquire, of Danville, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that William A. Stafford, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Attorney General Wickersham, it is ordered that Frank C. Nicodemus, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morgan A. Beach, it is ordered that William L. Cooke, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred W. Levenaler, it is ordered that Pauline Nelson Hartstone and Walter Hartstone, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Levi Cooke, it is ordered that James S. Morris, Esquire, of La Grange, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn ac-

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Eugene P. Locke, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward A. Mosely, it is ordered that Philip J. Doherty, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

John C. McClellan, James S. McClellan, William S. McClellan et al., Petitioners vs. John E. Carland, U. S. District Judge for the District of South Dakota. — On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

630

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed, costs in this Court to be paid

the same is hereby, remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Day.

101. Lutcher & Moore Lumber Co. Petitioners. vs. William H. Knight et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice White.

57. St. Louis, Kansas City & Colorado Railroad Co. Appellant. vs. The City of St. Louis and Wabash Railroad Co. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

of the record from the circuit court of the United States for the Eastern District of Missouri, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this court that this appeal be, and the same is hereby, dismissed with costs.

Opinion per Mr. Justice Brewer.
(Announced by Mr. Chief Justice Fuller.)

301. The St. Louis, Kansas City & Colorado Railroad Co., Petitioner vs. The Wabash Railroad Co., and the City of St. Louis. On petition for writ of certiorari to the United States circuit court of Appeals for the Eighth circuit.

On consideration of the petition for a writ of certiorari herein to the United States circuit Court of Appeals for the Eighth circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the court that said petition be, and the same is hereby, granted, the record filed with the petition to stand as a return to the writ.

Per Mr. Chief Justice Fuller

301. The St Louis, Kansas City & Colorado Railroad Co., Petitioner vs. The Wabash Railroad Co. and the City of St. Louis

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the Circuit Court of the United States for the Eastern District of Missouri in this cause, be, and the same is hereby, modified in accordance with the views expressed in the opinion of this Court as to terminal facilities in connection with the industrial establishments now existing near the right of way of The Wabash Railroad Company. If that Company shall desire, it may apply for a valuation of the additional properties of which the equal use and enjoyment is given to the intervenor, and upon that valuation the same per cent. shall be paid by the intervenor. The costs, except so far as they have been already taxed, shall be charged against the respondents. It is further ordered that this cause be, and the same is hereby, remanded to the said Circuit Court.

Opinion per Mr. Justice Brewer.

(Announced by Mr. Chief Justice Fuller).

David Munro Rogers, Denver Rogers and Wales Rogers, Infants, by Daniel G. Lach, their guardian ad litem; James Henry Rogers and Mary Mahala Rogers,
344 vs Plaintiffs in Error,
Clark Iron Co., The American Mining Co., and Leonard Iron Mining Co.

In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and on motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Solomon Brantley,
692 vs. Plaintiff in Error,
The State of Georgia

In Error to the Supreme Court of Georgia

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and

the said Supreme Court, in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of W. G. Coyle & Co., Petitioners. Original.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Wilson R. Hunter, Plaintiff in Error, vs. Mutual Reserve Life Insurance Co. 212.

On consideration of the motion for an order requiring the Receivers of the defendant in error to become parties to this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that William Hepburn Russell and Charles E. Rushmore, as Receivers of the Mutual Reserve Life Insurance Company, be, and they are hereby, made parties defendants in error in this cause.

Per Mr. Chief Justice Fuller.

223. The Eastern Kentucky Coal Lands Corporation, Plaintiff in Error, vs. The Commonwealth of Kentucky.

224. The Eastern Kentucky Coal Lands Corporation, Plaintiff in Error, vs. The Commonwealth of Kentucky.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument, as one case, after case No. 193, the time for argument being limited to one hour on each side.

Per Mr. Chief Justice Fuller.

843. German Alliance Insurance Company, Petitioner, vs. Home Water Supply Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

E. L. Coffin and F. M. McDonald, partners trading under the firm-name of Coffin & McDonald,
838 vs. Petitioners,
Charles R. Flint.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The Southern Paving & Construction Co.,
816 vs. Petitioner.
The City of Greensboro.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

Per Mr. Chief Justice Fuller

841.	S. Graeme Harrison, Petitioner, vs. The Philadelphia Contributionship for the Insurance of Houses from Loss by Fire	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

316.	The United States, Appellant, vs. The American Tobacco Co., et al.	It is ordered by the Court that these cases be, and the same are hereby, restored to the docket for reargument.
317.	The American Tobacco Co., et al., Appellants vs. The United States	

per Mr. Chief Justice Fuller.

725	Standard Oil Co., et al., Appellants, vs. The United States	It is ordered by the Court that this cause be, and the same is hereby re-

stored to the docket for reargument.

Charles R. Hicks.
847. vs. Plaintiff in Error,
The United States

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Bowers, Mr. H. L. Stimson and Mr. Felix Frankfurter in support of the same, and Mr. John B. Stanchfield, Mr. George S. Graham, and Mr. John C. Spooner in opposition thereto, and leave was granted counsel for the defendant in error to file a brief in reply within four days

Amory Eliot,
802 vs. Appellant.
James G. Freeman et al.

Mr. Frank W. Grinnell, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause

Maine Baptist Missionary Convention,
869. vs Appellant,
Charles E. Cotting et al.

Mr. Barry Mohun, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Lillian F. Slocum, Executrix, etc.,
846 vs Petitioner.
New York Life Insurance Co

The petition for a writ of certiorari herein was submitted to the consideration of the Court by

No. 566. Illinois Central Railroad Co., vs. Mary O'Neill et al. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Hunter C. Leake, Mr. Gustave Lemle, and Mr. Blewett Lee in support of the same.

No. 561. Hubert Hopkins vs. Heber C. Peters et al. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. L. Seward Bacon and Mr. F. R. Cornwall in support of the same.

No. 9, Original. Ex parte: In the matter of J. W. Gruetter Petitioner. This cause was submitted to the consideration of the Court on printed arguments, per stipulation of counsel, by Mr. Arthur Brownover, of counsel for the petitioner, and Mr. W. L. Granbery, of counsel for the respondent.

No. 702. Cassius B. Thomas et al, vs. Plaintiffs in Error, William C. Taylor. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edgar T. Brackett in support of the same, and Mr. Nash Rockwood in opposition thereto.

152. Thomas D. Wilcoxon, Plaintiff in Error, vs. Mitchell A. Wilcoxon, Martha E. Lemon and Mary D. Proctor. In Error to the Supreme Court of the State of Illinois.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

145. William W. Stewart, Appellant, vs. Lewis A. Griffith, Executor, &c. The argument of this cause was continued by Mr. George R. Gaither, of counsel for the appellee, and concluded by Mr. Henry E. Davis, of counsel for the appellant.

146. J. B. Curtin, Appellant, vs. H. C. Benson et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. M. B. Woodworth of counsel for the appellant and Mr. J. B. Curtin in propria persona, and Mr. Assistant Attorney General Harr, of

147. The United States, Plaintiff in Error, vs Cora Welch et al. This cause was argued by Mr. Assistant Attorney General John L. Thompson, of counsel for the plaintiff in error, and Mr. Edward S. Jouett, of counsel for the defendants in error.

6. Brown-Forman Co. Plaintiff in Error, vs. The Commonwealth of Kentucky. The argument of this cause was commenced by Mr. Leo Cook, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Tuesday, April 12th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville D. Fuller, Chief Justice.
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. C. Thompson, it is ordered that Horace B. Walmsley and Victor Theodore Pierrelee, Esquires, of Ashland, and Walter Louis Gold, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. C. Brown, it is ordered that Hugh M. Alcorn, Esquire, of Suffield, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that James Patrick Gilmore, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

P. K. Earling, Receiver &c., et al.,
1144 vs. Plaintiffs in Error,
John Emigh et al.

Mr. Rufus S. Simmons, of counsel for the plaintiffs in error, suggested the appointment of George C. Rankin as the successor of P. K. Earling as Receiver of the Berlin National Bank, and moved the Court to make the said George C. Rankin, as such Receiver, a party plaintiff in error in this cause. Whereupon, It is now here ordered by the Court that the said George C. Rankin as Receiver of the Berlin National Bank be, and he is hereby, made a party plaintiff error in this cause

Rosa Wallach et al.,
148 vs. Plaintiffs in Error,
Henry B. F. Macfarland et al, Commissioners of the District of Columbia.
Columbia Heights Realty Co.,
157 vs. Plaintiff in Error
Henry B. F. Macfarland et al., Commissioners of the District of Columbia

Mr. James Francis Smith, of counsel for the defendants in error, suggested the retirement of Henry B. F. Macfarland, Henry L. West and Chester Harding (acting), and the appointment

Tuesday, April 12th, 1910, continued.

John A. Johnston and William V. Judson as their successors as Commissioners of the District of Columbia, and moved the Court to make the said Cuno H. Rudolph, John A. Johnston and William V. Judson as such Commissioners, the parties defendant in error in this cause. Whereupon, It is now here ordered by the Court that the said Cuno H. Rudolph, John A. Johnston and William V. Judson, Commissioners of the District of Columbia, be, and they are hereby made the parties defendants in error in this cause.

156. Otis G. Freeman, Plaintiff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. B. Browne, Mr. Alexander Britton and Mr. W. A. Kincaid, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Fowler, of counsel for the defendant in error, and leave was granted counsel for the plaintiff in error to file a brief in reply on or before Friday next.

6. Brown-Forman Co., Plaintiff in Error, vs. Commonwealth of Kentucky. The argument of this cause was continued by Mr. Levi Cooke, of counsel for the plaintiff in error and Mr. James S. Morris, of counsel

Mr. Levi Cooke, of counsel for the plaintiff in error.

131. Edward S. Thomas, Trustee, &c., vs. Solomon M. Sugarman. Appellant. This cause was argued by Mr. Abram I. Elkus, of counsel for the appellant, and Mr. John J. Crawford, of counsel for the appellee.

137. Columbia Heights Realty Co., vs. Cuno H. Rudolph et al., Commissioners, &c. Plaintiff in Error. On motion of Mr. James Francis Smith, of counsel for the defendants in error, It is ordered by the court that this cause be, and the same is hereby, advanced for argument with case No. 148, as one case.

148 Rosa Wallach et al., vs. Cuno H. Rudolph et al., Commissioners, &c. Plaintiffs in Error. The argument of these cases was commenced by Mr. Samuel Maddox of counsel for the plaintiffs in error in No. 148.

137. Columbia Heights Realty Co., vs. Cuno H. Rudolph et al., Commissioners, &c. Plaintiff in Error.

Proclamation being made, the court is adjourned

Wednesday, April 13th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Stephen B. Elkins, it is ordered that C. O. Strieby, Esquire, of Davis, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. L. Hamilton, it is ordered that G. M. Valentine, Esquire, of Benton Harbor, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

Herbert C. Lakin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oscar Lawler, it is ordered that Isidor Bernard Dockweiler, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert M. La Follette, it is ordered that Joseph E. Messerschmidt, Esquire, of Manitowoc, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

148 Rosa Wallach et al., vs. Plaintiffs in Error, Cuno H. Rudolph et al., Commissioners, &c.

157 Columbia Heights Realty Co. vs. Plaintiff in Error, Cuno H. Rudolph et al., Commissioners, &c.

The argument of these cases was continued by Mr. Arthur A. Birney, of counsel for the plaintiff in error in case No. 157, and Mr. Jamie Francis Smith, of counsel for the defendants in error, and concluded by Mr. Lee Simmons, of counsel for the plaintiff

Wednesday, April 13th, 1910, continued

1149.	Kidd, Dater & Price Co. vs. Muscelman Grocer Co.	Plaintiff in Error; Defendant in Error.

The argument of this cause was commenced by Mr. G. M. Valentine, of counsel for the plaintiff in error, and continued by Mr. Benn M. Corwin, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Thursday, April 14th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
} Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. H. B. Walmsley, it is ordered that Ernest Billington, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. P. Davidson, it is ordered that William C. Rosenberg, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

154. Hollman & Company, Appellants, vs. Wentworth Lunch Co

On motion of Mr. William C. Rosenberg, leave is hereby granted

brief herein as amicus curiae, on or before the 16th inst.

Kidd, Dater & Price Co., vs. Muscelman Grocer Co. — The argument of this cause was continued by Mr. Benn M. Corwin and Mr. Swagar Sherley, of counsel for the defendant in error, and concluded by Mr. G. M. Valentine, of counsel for the plaintiff in error.

144

Harry T. Herndon, Prosecuting Attorney, &c., et al., vs. The Chicago, Rock Island & Pacific Railway Co. — This cause was argued by Mr. James T. Blair, of counsel for the appellants, and Mr. M. A. Low, of counsel for the appellee.

150

Cornelius Roach, Secretary of State &c., vs. The Atchison, Topeka & Santa Fe Railway Co. — The argument of this cause was commenced by Mr. James T. Blair, of counsel for the appellant, and continued by Mr. James P. Gilmore, of counsel for the appellee.

151

Proclamation being made, the Court is adjourned

Friday, April 15th. 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville D. Fuller, Chief Justice.
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Cummins, it is ordered that A. C. Lyon, Esquire, of Grinnell, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William G. Brantley, it is ordered that R. L. McLaurin, Esquire, of Vicksburg, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Order.

It is ordered by the Court that the bond presented by the Marshal for the performance of

163. C. R. Smith. vs. Armour Packing &c. Plaintiff in Error, In Error to the United States Circuit Court of Appeals for the Eighth Circuit

This cause having been called for hearing in its regular order, and it appearing to the court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this court, now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

151 Cornelius Roach, Secretary of State &c., vs. The Atchison, Topeka & Santa Fe Railway &c. Appellant, The argument of this cause was continued by Mr. James P. Gilmore and Mr. Gardiner Lathrop, of counsel for the appellee, and concluded by Mr. James T. Blair, of counsel for the appellant.

152 Mert H. Vought, Impleaded &c. vs. The State of Wisconsin Plaintiff in Error, The argument of this cause was commenced by Mr. Horace B. Walmsley, of counsel for the plaintiff in error. The court declined to hear further argument.

154. Nollman & Co., Appellants, vs. Wentworth Lunch Co. This cause was argued by Mr. Maurice P. Davidson, of counsel for the appellants, and Mr. Reno R. Billington, of counsel for the appellee.

155. Maria Margarita Volcey Souffront, Widow etc., et al., Plaintiffs in Error, vs. La Compagnie des Sucreries de Porto Rico et al. This cause was argued by Mr. Hannis Taylor, of counsel for the plaintiffs in error, and Mr. Charles Harlow, of counsel for the defendant in error, and leave was granted counsel for both sides to file additional briefs.

144. George C. Rankin, Receiver, etc., et al., Plaintiffs in Error, vs. John Emigh et al. The argument of this cause was commenced by Mr. Rufus S. Simmons, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned

Monday, April 18th, 1910.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton,
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Charles C. Suffren, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred W. Tavenner, it is ordered that Frank E. Dieterman, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

derson, Esquire, of Aiken, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Clarence S. Hebert, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Thompson, it is ordered that A. E. Thompson, Esquire, of Oshkosh, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Hughes, Jr., it is ordered that Fully Scott, Esquire, of Cripple Creek, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene L. Gaddess, it is ordered that Henry Leonard, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was

On motion first made to the Court in this behalf by Mr. William S. Bennet, it is ordered that John J. Freschi, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

551	The United States, Appellant, vs. Oberlin M. Carter, Lorenzo D. Carter, I. Stanton Carter et al.	Appeals from the United States Circuit Court of Appeals for the Seventh Circuit.
552	Oberlin M. Carter, Lorenzo D. Carter, I. Stanton Carter, Appellants, vs. The United States.	

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Northern District of Illinois.

Per Mr. Justice Lurton.

Ex parte: In the matter of The United States, Petitioner. } On consideration of the petition for a writ of prohibition and of the returns to

10, Original.

the rule to show cause issued herein, It is now here ordered by the Court that said petition be, and the same is hereby, dismissed

per Mr. Justice Lurton

The Chief Justice announced that the call of the docket will be suspended on Friday, the 29th inst. The Court will take a recess to Monday, May 2d until Monday, May 16th, and will then take a recess until Tuesday, May 31st, when it will adjourn for the term

The United States, Plaintiff in Error,
490 vs.
Pierre Spurnaud et al.
The United States, Plaintiff in Error,
491. vs.
Antonio Duda.

} On consideration of the petitions for rehearing in these cases, It is now here ordered by the Court that said petition be, and the same is hereby, granted, and the cases are restored to the docket for reargument.

per Mr. Chief Justice Fuller

702. Cassius B. Thomas, et al., Plaintiffs in Error, vs. William C. Taylor. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

802. Amory Eliot, Appellant, vs. James L. Freeman et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 11th next, after the cause heretofore assigned for that day.

per Mr. Chief Justice Fuller.

869 Maine Baptist Missionary Convention, Appellant, vs. Charles E. Cotting et al., Trustees. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday October 11th next, after the cause heretofore assigned for that day.

per Mr. Chief Justice Fuller

Lillian F. Slocum,
Executrix of the last will
and testament of Alexander
W. Slocum, deceased,
846. vs. Petitioner
New York Life Insurance Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

George M. Nowell, Gilmer
Clapp, The Bernice Bay
Mining & Milling Co., et al,
855. vs. Petitioners.
The International Trust
Co., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

861.	Herbert Hopkins, Petitioner, vs. Heber C. Peters and Isaac S. Dement.	On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

862.	Illinois Central Railroad Co., Petitioner, vs. Mary O'Neil et al.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

153. Mert A. Vought (Impleaded with Michael J. Collins, Alexander McDonald, H. B. Templin and Peter Fishback,) vs. The State of Wisconsin — Plaintiff in Error, — In Error to the Supreme Court of the State of Wisconsin

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

154. Norman & Co. vs. Wentworth Lunch Co. — Appellants and Petitioners, — Appeal from and on writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby,

States for the Southern District of New York.
per Mr. Chief Justice Fuller.

878 The United States, Petitioners, vs The Atchison, Topeka & Santa Fe Railway &c — The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Solicitor General Bowers, Mr. Edward A. Moseley, and Mr. Philip J. Doherty, in support of the same.

885. Secundino Mendezona, Plaintiff in Error, vs The United States. — Mr. Solicitor General Bowers, of counsel for the defendant in error, having filed in open Court, the following certificate, to-wit:

"The United States of America
In the Supreme Court of the Philippine Islands.

I, J. E Blanco, Clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in the said Court, wherein the United States was plaintiff and appellee, and Secundino Mendezona was defendant and appellant, a final judgment was rendered by said Supreme Court on the thirtieth day of November, A. D. 1908, in favor the said United States and against the said Secundino Mendezona, and that on the fifteenth day of December, A. D. 1908, the said Secundino Mendezona sued

United States.

Seal.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court at Manila, P. I., this twelfth day of June, A. D. 1909.

J. E. Blanco
Clerk of the Supreme Court of the Philippine Islands.

and moved the Court to docket and dismiss this cause pursuant to the ninth rule, and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of the Metropolitan Trust Co., of the City of New York, Petitioner

Original

Mr. Frank C. Nicodemus, Jr., in behalf of counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition or a writ of mandamus herein

The State of North Carolina, Complainant,
No. 7, Original vs.
The State of Tennessee.

On motion of Mr. Charles T. Cates, Jr., of counsel for the defendant, leave is hereby granted to file a stipulation of counsel to extend the time for taking the testimony and the manner of taking said testimony.

The State of North Carolina, Complainant,
No. 7, Original vs.
The State of Tennessee

On motion of Mr. Charles T. Cates, Jr., of counsel for the defendant, and in pursuance of a stipulation of counsel for the respective parties this day filed, It is now here ordered by the Court: 1. That depositions may be taken by either party before an officer authorized to take depositions by the laws of the State of North Carolina or Tennessee, upon not less than ten (10) days' notice to the adverse party, and, if taken before an officer having an official seal, no other authorization will be required. 2. That duly authenticated copies of any public records or maps, or official documents may be filed by either party with the Clerk as evidence in the cause, upon furnishing to the adverse party copies thereof, subject to exception to their competency as evidence 3. That the respective parties shall be authorized to introduce and offer as evidence in this cause the testimony of any witnesses taken and examined in the case of Charles Hebard v. D. W. Bolling

Stis, Louie Krohn, D W Hyman, Mary Bragg and R N Archer, in the United States Circuit Court for the Northern Division of the Eastern District of Tennessee, No. 1056, whether such testimony was taken in the original case or upon the Bill of Review filed therein; with the understanding, however, that further testimony, either of the witnesses examined in said case or other witnesses, may be introduced supplementary thereto, but without going over the original ground with any witness upon which said witness had previously been examined. The testimony of any of said witnesses taken from the record in said case of Hebard v Belding et als, when filed herein shall be taken to have the same effect as if taken in this cause under the first paragraph of said stipulation, and subject to all objections and exceptions for irrelevancy or incompetency, or other grounds that may be applicable thereto, with the understanding that these objections or exceptions, however, shall not extend to the fact that said testimony is introduced from another case without the production of the witness and personal examination hereof. Such testimony so provided for in this paragraph of said stipulation shall be copied from the official transcripts now on file in the United States Circuit Court of Appeals at Cincinnati, certified by the Clerk of that Court, or agreed upon by the parties hereto as being true

Court of the
United States at Knoxville as being true copies of the testimony of the witnesses on file in said cause in said Court; and said stipulation is to extend permission to either party to select, to be offered as evidence in this cause, such testimony from said case of Hebard v Belding et als, as either party hereto may deem material; provided, however, whenever either party to this cause desires to offer herein the testimony of any witness examined in said case of Hebard v. Belding et als., all of the testimony of such witness in said case must be offered herein by such party; and, provided further, that on or before the fifteenth day of July, 1910, notice in writing shall be given by the State of North Carolina to the State of Tennessee, of the names of all the witnesses examined in said case of Hebard v. Belding et als whose testimony the State of North Carolina desires to offer as evidence in this cause, and file a copy of said notice in the office of the clerk of the Supreme Court of the United States at Washington; and the State of Tennessee, on or before the fifteenth day of November, 1910, shall give a like notice to the State of North Carolina as to the testimony of witnesses in Hebard v. Belding et als desired to be offered as evidence in this cause. 4. That Complainant, the State of North Carolina, shall have until the fifteenth day of July, 1910, within which to take and file her testimony, and the State of Tennessee

1910, within which to take and file her testimony, unless for cause shown an extension of time should be given to either party.

Per Mr. Chief Justice Fuller.

Lawrence C. Sexton, Trustee, etc., 530. vs. Appellant. Keeler & Co., Limited, et al.

The motion of John Gorlow to intervene herein was submitted to the consideration of the Court on printed arguments by Mr. Henry Wollman in support of the same, and Mr. John Larkin in opposition thereto.

Frank D. Tyler, et al., 856. vs. Petitioners. Norfolk & Southern Railway Co., et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Thomas Leaming, Mr. John G. Johnson and Mr. Tazewell Taylor in support of the same, and Mr. Thomas L. Chadbourne, Jr., Mr. Frederick Hoff and Mr. Edward R. Baird, Jr., in opposition thereto.

Commonwealth of Virginia, Complainant, 3. Original vs. State of West Virginia.

The motion to set this cause for hearing was argued by Mr. Samuel W. Williams, Mr. William Anderson and

Monday, April 18th, 1910, continued

and Mr. John C. Spooner in opposition thereto.

3, Original — Commonwealth of Virginia, Complainant, vs. State of West Virginia. — The motion for leave to take further testimony herein was argued by Mr. John C. Spooner in support of the same, and Mr. William A. Anderson and Mr. Holmes Conrad in opposition thereto.

884 — The Atchison Topeka & Santa Fe Railway Co., Petitioner, vs. Mark E. Hamblen. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Robert Dunlap, Mr. T. J. Norton, Mr. E. W. Camp and Mr. Gardiner Lathrop in support of the same, and Mr. Paul Sleman in opposition thereto.

6 — Brown-Forman Co., Plaintiff in Error, vs. Commonwealth of Kentucky. — On motion of Mr. Levi Cooke, of counsel for the plaintiff in error, leave is hereby granted him to file a supplemental brief herein.

George C. Rankin, Receiver of the Berlin National Bank, and the Berlin National Bank,
1414 vs. Plaintiffs in Error;
John Emmyh et al.

The argument of this cause was continued by Mr. Rufus S. Simmons, of counsel for the plaintiffs in error, and Mr. J. C. Thompson, of counsel for the defendants in error, and concluded by Mr. Rufus S. Simmons, of counsel for the plaintiffs in error.

J. Alexander Chiles,
158 vs. Plaintiff in Error;
Chesapeake & Ohio Railway Co.

This cause was argued by Mr. J. Alexander Chiles in propria persona, and Mr. John T. Shelby, of counsel for the defendant in error.

Proclamation being made the Court is adjourned

Tuesday, April 19th. 1910

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Offley, it is ordered that Clare A. Pickard, Esquire, of Jamestown, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Carter, it is ordered that Fred H. Hathhorn, Esquire, of Billings, State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

W. Hughes, Esquire, of Welch, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert M. La Follette, it is ordered that E. G. Rahr, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

146 J. B. Curtin, Appellant, vs. H. C. Benson, et al. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for oral argument.

per Mr. Chief Justice Fuller

169 Fernando Vazquez Morales et al., Appellants, vs. Juan Vicenty Ramos. Appeal from the Supreme Court of Porto Rico.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this

wich costs.

Per Mr. Chief Justice Fuller.

154. The City of Omaha, Petitioner, vs. Omaha Water Co.

This cause was argued by Mr. John L. Webster, of counsel for the petitioner, and Mr. R. S. Hall and Mr. Howard Mansfield, of counsel for the respondent.

Proclamation being made, the Court is adjourned

Wednesday, April 20th 1910

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John A. Kratz, Jr., it is ordered that Joseph W. Cox, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Watson, it is ordered that Charles E. Lord, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1, Original The State of Maryland, complainant, vs. The State of West Virginia

The forms of decree to be entered herein were submitted to the consideration of the Court by Mr. Isaac Lobe Straus, of counsel for the complainant, and Mr. George E. Price, of counsel for the defendant.

160 Standard Oil Co. of Kentucky, Plaintiff in Error, vs. The State of Tennessee upon the relation of Charles T. Cates, Jr., Attorney General, etc.

This cause was argued by Mr. John J. Vertrees, of counsel for the plaintiff in error, and Mr. Charles T. Cates, Jr., of counsel for the defendant in error.

162. Austin W. Lord et al., Appellants, vs. The United States.

This cause was argued by Mr. Charles Fuller, of counsel for the appellants, and Mr. Assistant Attorney General John L. Thompson, of counsel for the appellee.

164 Pink Franklin, Plaintiff in Error, vs. The State of South Carolina

The argument of this cause was commenced by Mr. John Adams, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Thursday, April 21st. 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
} Associate Justices
John M. Wright, Esquire, Marshal,
James H McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Theodore Cutro, it is ordered that Gustav J. Voss, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. E. [illegible] McCalmont, it is ordered that M. Wallace Dixon, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Arthur B. Pugh, it is ordered that Ernest M. Fulton, Esquire, of Washington, District of

torney and counsellor of this Court, and he was sworn accordingly.

164 Pink Franklin, Plaintiff in Error
vs.
The State of South Carolina

The argument of this cause was continued by Mr. John S. Adams, of counsel for the plaintiff in error, and Mr. J. Fraser Lyon and Mr. D. L. Henderson, of counsel for the defendant in error, and concluded by Mr. Jacob Moore, of counsel for the plaintiff in error.

165 William Fay et ux., Plaintiffs in Error,
vs.
Samuel A. Crozer et al., Trustees, etc., et al.

On motion of Mr. J. F. Brown, of counsel for the defendants in error, leave is hereby granted to three counsel to be heard orally on behalf of the defendants in error.

165. William Fay et ux., Plaintiffs in Error,
vs.
Samuel A. Crozer et al., Trustees, etc., et al.

The argument of this cause was commenced by Mr. George E. Price, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned

Friday, April 22d, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William W. Wilson, it is ordered that Elmer H. Adams, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Creed M. Fulton, it is ordered that W. Gwynn Gardiner, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

165. William Fay et ux., vs Samuel A. Crozer, et al., Trustees, etc., et al, Plaintiffs in Error,

The argument of this cause was continued by Mr. George E. Price, of counsel for the plaintiffs in error, and Mr. J. F. Brown, Mr. W. W. Hughes and Mr. R. F. Strother, of counsel for the defendants in error, and concluded by Mr. George E. Price, of counsel for the plaintiffs in error.

166. H. J. Schultz et al., vs. Edgar B. Diehl et al. Appellants,

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Charles W. Fulton, of counsel for the appellants. No counsel appeared for the appellees.

165. Standard Oil Co., vs. Abraham Brown. Plaintiff in Error,

The argument of this cause was commenced by Mr. A. Leftwich Sinclair, of counsel for the plaintiff in error, and continued by Mr. W. Gwynn Gardiner, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr. Frank B. Kellogg, it is ordered that Joseph A. Zumbalen, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. P. P. Campbell, it is ordered that William T. Stanford, Esquire, of Independence, State of Kansas, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this be

to. A. McGonagle, Esquire, of Muncie, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Harr, it is ordered that Harry S. Ridgely, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James S. McDonough, it is ordered that Clarence C. Fowler, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that Hugo Kohlmann, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Halvor Steenerson, it is ordered that James M. Witherow, Esquire, of Moorhead, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and

145. William W. Stewart, Appellant, vs. Lewis A. Griffith, Executor of Alfred W. Ball, deceased. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

147. The United States, Plaintiff in Error, vs. Lora Welch and David Welch, her husband, Jane Wilson, Ella Wilson Brown et al. In Error to the Circuit Court of the United States for the Eastern District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

143. Joseph Winar, vs. William A. Jones, Bishop of Porto Rico. — Appeal from the Supreme Court of Porto Rico.

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

166. H. J. Schultz, Mrs. Marion B. Cleveland, J. A. Ferris et al., vs. Edgar B. Diehl and Daniel Grabill. — Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law

Ex parte; In the matter of Metropolitan Trust Co. of the City of New York, Petitioner.
17, Original

On consideration of the motion for leave to file petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby granted

per Mr. Chief Justice Fuller

Ex parte: In the matter of Metropolitan Trust Co. of the City of New York, Petitioner
17, Original

On consideration of the petition for a writ of mandamus herein, It is now here ordered by the Court that cause be shown by the Honorable Henry G. Ward, Circuit Judge of the United States, for the Second Circuit, and the Circuit Court of the United States for the Southern District of New York, before this Court at the City of Washington, on Monday, May 2d, 1910, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted

per Mr. Chief Justice Fuller

Commonwealth of Virginia, Complainant
3, Original vs.
State of West Virginia

On consideration of the motion for leave to take further testimony herein, It is now here ordered by the Court

hereby, denied.

per Mr. Chief Justice Fuller.

3, Original. Commonwealth of Virginia, Complainant, vs. State of West Virginia. On consideration of the motion to set this cause for hearing, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 11th next, at the head of the call for that day.

per Mr. Chief Justice Fuller.

530. Laurence E. Sexton, as Trustee, etc., Appellant, vs. Keeler & Co., Limited, et al. On consideration of the motion of John Gorlow for leave to intervene in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

878 The United States, Petitioner, vs. The Atchison, Topeka & Santa Fe Railway Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller

856. Frank D. Zeee et al., vs. Norfolk & Southern Railway Co., et al. Petitioners, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

884. The Atchison, Topeka & Santa Fe Railway Co., vs. Mark B. Hamble. Petitioner On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and

as well in support of as against the same, & it is now here ordered by the court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

820. The United States, Plff in Error, vs. Anconia Brass & Copper Co. et al
330. The United States, Plff in Error, vs. George F. Lawson
556. The United States, Plff in Error, vs. James Durie
557. The United States, Plff in Error, vs. James Stott
604. William Brown et al, &c., Appts, vs. The United States
714. The United States, Plff in Error, vs. Gustav E. Kissel et al.
786. The United States, Plff in Error, vs. O. A. Johnson
798 The United States, Plff in Error, vs. James T. Barber et al.
876. The United States, Plff in Error, vs. Henry Boeckmann.
888, 889, 890. The United States, Plff in Error, vs. Frank A. Mason.

Mr. Solicitor General Bowers, of counsel for the United States, submitted to the consideration of the court motions to advance these cases,

696. The United States, Plaintiff in Error, vs. Fritz Augustus Heinze

Mr. Solicitor General Bowers, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause, and leave was granted counsel for the defendant in error to file a brief in opposition thereto within five days

873. Whitin Machine Works, Petitioner vs. Lewis J. Houghton. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. A. Jenner and Mr. Edmund Wetmore in support of the same, and Mr. Louis W. Southgate and Mr. W. K. Richardson in opposition thereto.

793. The United States, Appellant vs. Société Anonyme des Anciens Etablissements Cail.
794. Société Anonyme des Anciens Etablissements Cail, Appellant vs. The United States. The motion to remand this cause for further findings was submitted to the consideration of the Court by Mr. Timothy D. Merwin and Mr. Philip Mauro in support of the same, and Mr. Solicitor General Bowers, Mr. Assistant Attorney General John L. Thompson and Mr. Malcolm A. Coles in opposition thereto, and leave was granted Mr. Merwin to file a brief in reply within five days.

S. Davies Warfield, R. Lancaster Williams and E. C. Duncan, as Receivers of the Railroad and Properties of The Seaboard Air Line Railway. vs. John B. Gaston. — In Error to the Supreme Court of the State of Alabama.

483. Plaintiffs in Error.

It appearing to the Court that a stipulation of counsel for the respective parties has been filed in this cause, agreeing that the same judgment entered in the case of Southern Railway Company, plaintiff in error, vs. Samuel E. Gruno, No. 450 on the docket for the present term, may be entered in this cause, Therefore, In pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the Supreme Court of the State of Alabama in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings.

per Mr. Chief Justice Fuller.

Standard Oil Co., vs. Abraham Brown. — The argument of this cause was continued by Mr. W. Gwynn Gardiner and Mr. Creed M. Fulton of counsel for the de-

168. Plaintiff in Error.

Darlington. of counsel for the plaintiff in error.

640 Henry L. Hertz, Collector, &c., vs. Gordon O. Woodman et al., Executors, etc.

The argument of this cause was commenced by Mr. Solicitor General Bowers, c

counsel for Hertz, Collector.

Proclamation being made, the Court is adjourned

Tuesday, April 26th. 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened. 501.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Charles A. Wilson, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Owen, it is ordered that Grant Foreman, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 640

On motion first made to the Court in this be-

Cromwell Gibbons, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that Irene C. Buell, of St Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

Philip Brady et al., Appellants, vs. Bernard J. Kittinger et al. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Hill McAlister in support of the same, and Mr. Edwin C. Brandenburg, Mr. Clarence J. Brandenburg and Mr. F. Walter Brandenburg in opposition thereto.

Henry L. Hertz, Collector &c., vs. Gordon O. Woodman et al., Executors, etc. — The argument of this cause was continued by Mr. N. T. Newcomb, of counsel for Woodman et al., Executors, and concluded by Mr. Solicitor General Bowers, of counsel for Hertz, Collector.

171. Clemente Javierre, et al., vs. Appellants, Central Altagracia, (Incorporated.) This cau
gued by
Hartzu
for the ap
and Mr.
mann, of counsel for the appellees.

172. A. Union Jennings vs. Plaintiff in Error, Philadelphia, Baltimore & Washington Railway Co. This cau
mitted
sidera
Court o
and prin
ments by Mr. Henry E. Davis and
Hilton Jackson, of counsel for the pla
error, and Mr. Frederic D. McKenne
Spalding Flannery and Mr. Willi
of counsel for the defendant in error.

173. The United States, vs. Appellant, The Chicago, Milwaukee & St. Paul Railway Co. The argu
this cau
menced b
Barton
counsel fo
pellants.

Proclamation being made, the Court i

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Benjamin D. Warfield, it is ordered that William J. Cox, Esquire, of Madisonville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Barton Corneau, it is ordered that Charles Ray Dean, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Wednesday, April 25th, 1910, continued.

185. Western Union Telegraph Co., Plaintiff in Error, vs. Commercial Milling Co. It is ordered by the Court that this cause be, and the same is hereby continued to the next term per stipulation of counsel.

173. The United States, Appellant, vs. The Chicago, Milwaukee & St. Paul Railway Co. The argument of this cause was continued by Mr. Barton Corneau, of counsel for the appellant, and Mr. Charles E. Vroman, of counsel for the appellee, and concluded by Mr. Barton Corneau, of counsel for the appellant.

174. John A. Watson, Plaintiff in Error, vs. The State of Maryland. This cause was argued by Mr. Charles G. Watson, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Isaac Lobe Straus, of counsel for the defendant in error.

176	Charles D. Campbell, Appellant, vs. Frederick Weyerhaeuser et al.	The argument of these cases was commenced by Mr. Charles W. Bunn, of counsel for Weyerhaeuser et al., and Northern Pacific Railway Co.
195.	Frederick Weyerhaeuser et al., Appellants, vs. Herbert A. Smyth	
397.	Northern Pacific Railway Co., Plaintiff in Error, vs. Fred. Wass et ux.	

Proclamation being made, the Court is ad-

Thursday, April 28th. 1910

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that John J. Wood, Jr., Esquire, of Berlin, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Dixon, it is ordered that Louis B. Wehle, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

Joseph W. Lewis, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. John J. Fitzgerald, it is ordered that Leon R. Jacobus, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

179 John Stoffela, Appellant, vs. M. J. Nugent. Mr. Frederick S. Tyler in behalf of counsel for the appellee, suggested the death of M. J. Nugent, the appellee in this cause, and moved the Court to make Mary E. Nugent, Executrix of the said M. J. Nugent, the party appellee. Whereupon, It is now here ordered by the Court that the said Mary E. Nugent, Executrix of the said M. J. Nugent, deceased, be, and she is hereby, made the party appellee in this cause

901 The New York Life Insurance Company, Plaintiff in Error, vs. Fitz A. McMaster, as Insurance Commissioner of the State of South Carolina In Error to the Supreme Court of the State of South Carolina

counsel for the plaintiff in error to d
the writ of error in this cause has b
Therefore, in pursuance of said moti
now here ordered and adjudged by
that the writ of error in this cause b
same is hereby, dismissed with costs

per Mr. Chief Justic

176. Charles D. Campbell, Appellant
vs.
Frederick Weyerhaeuser et al.

195. Frederick Weyerhaeuser et al.,
vs. Appellants,
Herbert L. Hoyt.

397. Northern Pacific Railway Co.,
vs. Plaintiff in Error,
Fred Wace et ux.

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these case
continued
P. B. Gor
counsel f
et ux., de
M. A. Sta
counsel f
bill and
concluded
Frank B. Kellogg, of counsel for Weyer
et al., and Northern Pacific Railway C

179. John Stoffel,
vs. Appellant,
Mary E. Nugent,
Executrix, etc.

This cause w
by Mr. J. J. Da
of counsel for t
lant, and subm
a printed arg
by Mr. Eugene B. Ives, of counsel for th

Thursday, April 28th, 1910, continued.

180	Louisville & Nashville Railroad Co. vs. Plaintiff in Error. Spencer Melton.	The argument of this cause was commenced by Mr. Benjamin D. Warfield, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Friday, April 29th, 1910.

Pursuant to adjournment, the court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
} Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr. Frederick S. Tyler, it is ordered that Frank A. Janiszewski, Esquire, of Chicago, State of Illinois, and John V. Brooke, Esquire, of Cando, State of North Dakota, be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly. 180.

On motion first made to the court in this behalf by Mr. W. B. C. Brown, it is ordered that Charles M. Buck, Esquire, of Kansas City, and J. B. Daniel, Esquire, of Piedmont, State of Missouri, be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly. 181.

On motion first made to the Court in this behalf by Mr. George E. Chamberlain, it is ordered that Horace Tillard Jones, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William S. Bennet, it is ordered that Irwin Kurtz and Bernard A. Sandler, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The Louisville & Nashville Railroad Co., Plaintiff in Error,
vs
Spencer Melton

The argument of this cause was continued by Mr. Benjamin D. Warfield, of counsel for the plaintiff in error, and Mr. James W. Clay, of counsel for the defendant in error, and concluded by Mr. Benjamin D. Warfield, of counsel for the plaintiff in error.

The United States, Plaintiff in Error,
vs
Lizzie Lowell et al.

This cause was argued by Mr. Assistant Attorney General John L. Thompson, of counsel for the plaintiff in error, and Mr. Edward S. Jouett, of counsel for the defendants in

Friday, April 29th, 1910, continued.

plaintiff in error to file an additional brief herein within five days.

182. Hutchinson, Peirce & Co., vs. Joseph Lowry, Appellant.

This cause was argued by Mr. Archibald Cox, of counsel for the appellant, and Mr. L. L. Morris and Mr. E. T. Fenwick, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Monday, May 2d, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Frank Hall, Esquire, of Trenton, State of Missouri; Austin Harveycutter, Esquire, of Washington, District of Columbia, David D. Caldwell, Esquire, of Peoria, State of Illinois, and Lewis M. Isaacs, Esquire of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest W. Roberts, it is ordered that Walter A. Ladd, Esquire, of Boston, State of Massachusetts, be admitted to

of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. B. Closson, it is ordered that Tompkins McElvaine, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Wallace Brown, it is ordered that Michael O'Neill, Esquire, of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. N. H. Hart, it is ordered that James C. Koontz, Esquire, of Hammond, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank P. Flint, it is ordered that David A. Reed, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Citizens National Bank et al., vs. Plaintiffs in Error, The Commonwealth of Kentucky for the use and benefit of Boyle County and The Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

135.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lurton

Grenada Lumber Co., C. T. Stepp, Bailey & Crenshaw et al., vs Plaintiffs in Error, The State of Mississippi In Error to the Supreme Court of the State of Mississippi.

493.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lurton

Charles R. Hike, Plaintiff in Error,
vs.
The United States.

In Error to the Circuit Court of the United States for the Southern District of New York.

849

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Day.

Standard Oil Co. of Kentucky, Plaintiff in Error,
vs.
The State of Tennessee on the relation of Charles T. Cates, Jr., Attorney General of the State of Tennessee.

In Error to the Supreme Court of the State of Tennessee.

160.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Paul A. Wemmé,
20. vs. Plaintiff in Error,
The United States.

In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to dismiss the proceedings.

per Mr. Justice McKenna

Dissenting:
Mr. Justice White
Mr. Justice Holmes.
(Mr. Justice Lurton, not being a member of the court when this case was argued, took no part in its decision.)

Austin W. Lord and J. Monroe Hewlett, doing business under the firm name and style of Lord & Hewlett,
162. vs. Appellants,
The United States.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript

argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

165. William J. Fay and Eliza J. Fay, his wife, vs. Samuel A. Crozer, John P. Crozer, and Mary Crozer Page, Trustees of the Crozer Land Association, et al.

In Error to the Circuit Court of the United States for the Southern District of West Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

330 The United States, Plff in Error, vs. George F. Lamson
556. The United States, Plff in Error, vs. James Durie.
557. The United States, Plff in Error, vs. James Stott.
604 William Brown et al, Applts, vs. The United States.
696. The United States, Plff in Error, vs. Fritz Augustus Heinze
714 The United States, Plff in Error, vs. Gustav E. Kissel et al
786 The United States, Plff in Error, vs. O. A. Johnson
798 The United States, Plff in Error, vs. James T. Barber et al
820 The United States, Plff in Error, vs. Anaconda Brass & Copper Co. et al
876. The United States, Plff in Error, vs. Henry Boeckmann
888 889, 890 The United States, Plff in Error, vs. Frank H. Moore

On consideration of the motions to advance these cases, It is now here ordered by the Court that the said motions be, and the same are hereby, granted, and the cases assigned for argument on Tuesday, October 11th next, after the cases heretofore assigned for that day, and oral arguments are limited to one half hour on each side

per Mr. Chief Justice Fuller

501. Philip Brady, Stewart-Bruckner Co., W. T. Hardison Co. and Fitzgerald-Litchford Co., Petitioners vs. Bernard J. Kittinger, B. M. Combs, Leslie Combs et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of

Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had; as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

501. Philip Brady, Stewart-Buckner Co., W. T. Hardison Co., and Fitzgerald-Litchford Co., Appellants, vs. Bernard & Kittinger, B. M. Combs, Leslie Combs et al.

Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice Fuller.

793. The United States, Appellant, vs. Société Anonyme des Anciens Etablissements Cail

794. Société Anonyme des Anciens Etablissements Appellant vs.

It is ordered by the Court that the further consideration of the motion to remand this cause for further findings of fact be, and the same is

until the hearing of the cause on the merits.
per Mr. Chief Justice Fuller.

873. Whitin Machine Works, Petitioner vs. Lewis J. Houghton. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.
per Mr. Chief Justice Fuller.

792. B. Altman & Co., Plaintiff in Error, vs The United States. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Bowers and Mr. Assistant Attorney General Lloyd in support of the same, with leave to Mr. W. Wickham Smith, of counsel for the plaintiff in error to file a brief in opposition thereto within five days.

849. Charles R. Heike, Plaintiff in Error, vs. The United States. On motion of Mr. Solicitor General Bowers, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

851. Roy Vermont et al., Petitioners, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Shepard Barclay and Mr. Thomas J. Faunteroy in support of the same, with leave to counsel for the respondent to file a brief in opposition thereto within five days.

868. J. Harvey Ladue et al., Appellants, vs. Tennessee Copper Co. Mr. Henry B. Closson, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

902. C. M. Carter, Petitioner, vs. Charles A. Goss. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Leigh Robinson and Mr. F. Charles Hume in support of the same, and Mr. Maurice E. Locke, Mr. Eugene P. Locke, Mr. James A. McIntosh, Mr. John Charles

thereto.

123 Charles A. Davis, Executor &c., vs. Plaintiff in Error; Cleveland, Cincinnati, Chicago & St. Louis Railway Co. — On motion of Mr. Frank L. Littleton, of counsel for the defendant in error, It is ordered by the Court that the mandate in this cause be, and the same is hereby, stayed until the 30th instant.

Ex parte: In the matter of Charles W. Morse, Original Petitioner — Mr Martin W. Littleton, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein.

493. Grenada Lumber Co., B. T. Stepp, Bailey & Crenshaw et al., vs. Plaintiffs in Error, The State of Mississippi — In Error to the Supreme Court of the State of Mississippi.

It appearing to the Court that the plaintiffs in error, S. Bernheimer & Sons, P. T. Calliott, Tucker & Gabbert, Bauke & Company, Alexander Lumber Company, Bailey & Crenshaw, Grenada Lumber Company, Stiles-Tull Lumber Company, Sessions & Roland, E. W. Pickens, Cohn Bros. Shaw Hard-

Wagon Company and Sumner Lumber Company by their counsel, have filed a motion to dismiss the writ of error in this cause as to themselves. Therefore, In pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause as to the said above-named plaintiffs in error, be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Proclamation being made, the Court is adjourned

Monday, May 16th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bowers, it is ordered that Willis N. Miller, Esquire, of Detroit, State of Michigan, and James A. Devitt, Esquire, of Oskaloosa, State of Iowa, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Holt Gaines, it is ordered that Edward S. Elliott, Esquire, of Charleston, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

behalf by Mr. J. B. Catron, it is ordered that Edward W. Dobson and Edward A. Mann, Esquires, of Albuquerque, and Edmund C. Abbott, Esquire, of Santa Fe, Territory of New Mexico, and Robert C. Noleman, Esquire, of Los Angeles, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter C. Clephane, it is ordered that Alan C. Clephane, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hamilton Lewis, it is ordered that A. C. Hart, Esquire, of Hackensack, and William Hughes, Esquire, of Paterson, State of New Jersey, and Ambrose Gherini, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. H. Piles, it is ordered that Charles O. Bates, Esquire of Tacoma, and Frank Peirce, Esquire, of Seattle, State of Washington, be admitted to practice as attorneys and counsel-

On motion first made to the Court in this behalf by Mr. J. R. Edson, it is ordered that J. Francis H. Mothershead, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew Wilson, it is ordered that Wilbur A. Powers, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry F. Lerch, it is ordered that Arthur H. Codington, Esquire, of Macon, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur B. Hayes, it is ordered that Beverly C. Mosby, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred W. Levensaler, it is ordered that William D. Turner, Esquire, of Boston, State of

attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Shelley, it is ordered that Charles West, Esquire, of Guthrie, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butter, it is ordered that John Loomer Hall, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Spalding Flannery, it is ordered that Amor Hartley Sargent, Esquire, of Cedar Rapids, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that Adolph L. Weil, and William L. McGuire, Esquires, of San Francisco, and David S. Ewing, Esquire, of Fresno, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Prentice, it is ordered that W. W. McCredie, Esquire, of Vancouver, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Brown-Forman Co., vs. Commonwealth of Kentucky. — Plaintiff in Error, — In Error to the Court of Appeals of the State of Kentucky.

6.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lurton.

Columbia Heights Realty Co., vs. Cuno H. Rudolph, John A. Johnston and William V. Judson, Commissioners of the District of Columbia — Plaintiff in Error, — In Error to the Court of Appeals of the District of Columbia

157.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by

attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Shelley, it is ordered that Charles West, Esquire, of Guthrie, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butter, it is ordered that John Loomer Hall, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Spalding Flannery, it is ordered that Amon Hartley Sargent, Esquire, of Cedar Rapids, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that Adolph L. Weil, and William L. McGuire, Esquires, of San Francisco, and David S. Ewing, Esquire, of Fresno, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Prentice, it is ordered that W. W. McCredie, Esquire, of Vancouver, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

6. Brown-Forman Co., Plaintiff in Error, vs. Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lurton.

157. Columbia Heights Realty Co., Plaintiff in Error, vs. Cuno H. Rudolph, John A. Johnston and William V. Judson, Commissioners of the District of Columbia. In Error to the Court of Appeals of the District of Columbia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by

here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

Rosa Wallach, Emily N. Wallach, Mary Alexander Mitchell, and Rose Douglass Merriam, Plaintiffs in Error, vs. Edno H. Rudolph, John A. Johnston and William V. Judson, Commissioners of the District of Columbia. — In Error to the Court of Appeals of the District of Columbia.

148.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Lurton.

Gustav Holmgren, Petitioner, vs. The United States. — On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

132.

This cause came on to be heard on the transcript

of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of California.

per Mr. Justice Day.

156. Otis G. Truman, Plaintiff in Error, vs. The United States. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Day.

140. Southern Railway Co., Petitioner, vs. Mrs. Josephine King. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued

here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Georgia.

per Mr. Justice Day.

Dissenting:
Mr. Justice Holmes
Mr. Justice White.

111. Southern Railway Co., Petitioner, vs. Inez King by her next friend, Mrs. Josephine King. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Georgia

per Mr. Justice Day.

Dissenting:

Clemente Javierre, Matia Gil, and Felix Ramos, co-partners, doing business under the firm name of Javierre & Gil, et al.,
171 vs Appellants,
Central Altagracia, Incorporated.

Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Holmes.

John Stoffela,
179 vs. Appellant.
Mary E. Nugent, Executrix of M. J. Nugent, deceased.

Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On con-

judged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter a judgment affirming the judgment of the District Court.

Per Mr. Justice Holmes.

659 H. C. Cook Company, Plaintiff in Error, vs. Frank H. Bucher, Charles E. Fairchild, Thomas A. James and William A. Ward. In Error to the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

142. Robert L. Owen, Plaintiff in Error, vs. William W. Dudley and Louis T. Michener, doing business under the firm name and style of Dudley & Michener. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

149. Kidd, Dater & Price Co., Plaintiff in Error, vs. Muscalman Grocer Co. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

Maria Margarita Voley Souffront, Widow of Fleurian; Maria Elizabeth Odette Fleurian, and Maria Antonnette Ema Fleurian, Widow of Souffront,
155. vs. Plaintiffs in Error,
La Compagnie des Sucreries de Porto Rico and Ernesto Maurice

In Error to the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

Hutchinson, Peirce & Co.,
182. vs. Appellant,
Joseph Louvy.

Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

Ex parte: In the matter of Charles W. Moore, Original. Petitioner

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

792. B. Altman & Co., vs. Plaintiffs in Error, The United States

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

865 J. Harvey Ladew et al., vs Appellants, Tennessee Copper Co.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 11th next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller

887. Roy Vermont and Arthur Garrett, Petitioners, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein, to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

902. O. M. Carter, Petitioner, vs. Charles A. Goss. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

456. The Baltimore & Ohio Railroad Co., Appellant, vs. Interstate Commerce Commission. It is ordered by the Court that this cause be and the

restored to the docket for argument before a full bench.

per Mr. Chief Justice Fuller.

34. Montezuma Canal Co., Appellant, vs. Smithville Canal Co. et al. It is ordered by the court that this cause be, and the same is hereby, restored to the docket for oral argument.

per Mr. Chief Justice Fuller.

316. The United States, Appellant, vs. The American Tobacco Co. et al.

317. The American Tobacco Co., et al. Appellants, vs. The United States

725. Standard Oil Co., et al., Appellants, vs. The United States.

On motion of Mr. Attorney General Wickersham, of counsel for The United States, It is ordered by the court that these cases be, and the same are hereby, assigned for reargument on Monday, November 14th next.

837. American National Bank of Washington, Plaintiff in Error, vs. Fannie N. Tappan.

On motion of Mr. Benjamin S. Minor, of counsel for the plaintiff in error, It is ordered by the court that this cause be and the same is hereby, advanced pursuant to the 32d rule.

American National Bank of Washington,
837. vs. Plaintiff in Error,
Fannie N. Tappan.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Benjamin S. Minor, and Mr. Horace B. Stanton, of counsel for the plaintiff in error, and Mr. Alexander Wolf, of counsel for the defendant in error.

The People of the State of New York,
6 Original. vs. Complainants,
The State of New Jersey et al
The United States, Intervenor.

On motion of Mr. Solicitor General Bowers, of counsel for The United States, and in pursuance of a stipulation to that effect, It is now here ordered by the Court that the intervening petition of The United States herein be, and the same is hereby, dismissed without prejudice.

Per Mr. Chief Justice Fuller.

Alonzo Bailey,
564. vs. Plaintiff in Error,
The State of Alabama.

Mr. Lloyd W. Bowers in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

564. Alonzo Bailey, Plaintiff in Error, vs. The State of Alabama. On motion of Mr. Solicitor General Bowers, leave is hereby granted the United States to be heard herein orally, and to file a printed brief as amicus curiae.

651 The United States, Plaintiff in Error, vs. Hugh E. Monson
652. The United States, Plaintiff in Error, vs. Luigi Cafarelli.
653. The United States, Plaintiff in Error, vs. William A. Duncan. On motion of Mr. Solicitor General Bowers, of counsel for the plaintiff in error, It is ordered by the Court that these cases be, and the same are hereby, advanced and assigned for argument as one case on Tuesday, October 11th next, after the cases heretofore assigned for that day, and one-half hour allowed each side for the argument.

660. William Dreier, Plaintiff in Error, vs. The United States
661. William Dreier, Appellant, vs. William Henkel, United States Marshal, etc. Mr. Solicitor General Bowers, of counsel for the defendant in error and appellee, submitted to the consideration of the Court a motion to advance these cases.

761. Ong Chang Wing et al., vs. The United States. Plaintiffs in Error. Mr. Solicitor General Bowers, of counsel for the defendant in error, submitted to the consideration of the court a motion to advance this cause.

878. The United States, vs. The Atchison, Topeka & Santa Fe Railway Co. Petitioner. Mr. Solicitor General Bowers, of counsel for the petitioner, submitted to the consideration of the court a motion to advance this cause.

919 The United States, Appt, vs. Lehigh Valley Railroad Co.
920 The United States, Appt, vs. Erie Railroad Co.
921 The United States, Appt, vs. The Central Railroad Co. of New Jersey.
922. The United States, Appt, vs. The Pennsylvania Railroad Co.

Mr. Solicitor General Bowers, of counsel for the appellant, submitted to the consideration of the court a motion to advance these cases.

923. The United States, vs. Press Publishing Co. Plaintiff in Error. Mr. Solicitor General Bowers, of counsel for the plaintiff in error, submitted to the consideration of the court a motion to advance this cause

700. Northern Pacific Railway Co., Plaintiff in Error, vs. Bessie Babcock, Administratrix, &c. On motion of Mr. Solicitor General Bowers, leave is hereby granted counsel for the United States to file a printed brief herein as amicus curiae.

441. Atlantic Coast Line Railroad Co., Plaintiff in Error, vs. Riverside Mills. Mr. Lloyd W. Bowers, in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

441. Atlantic Coast Line Railroad Co., Plaintiff in Error, vs. Riverside Mills. Mr. Solicitor General Bowers submitted to the consideration of the Court a motion for leave to the United States to be heard herein as amicus curiae.

899. Hipolite Egg Co., Claimant &c., Plaintiff in Error and Appt, vs. The United States. Mr. E. T. Fenwick, of counsel for the plaintiff in error and appellant, submitted to the consideration of the Court a motion to advance this cause.

953. New York, New Haven & Hartford Railroad Co., vs. Plaintiff in Error, Mary Agnes Walsh, Administratrix, etc.

954. Mary Agnes Walsh, Administratrix, etc., vs. Plaintiff in Error, New York, New Haven & Hartford Railroad Co.

Mr. John L. Hall, of counsel for the Railroad Company, submitted to the consideration of the court a motion to advance these cases to be heard with case No. 700.

777. Frank W. Brown, vs. Appellant, C. T. Elliott, United States Marshal, etc., et al.

The motion to admit the appellant to bail was submitted to the consideration of the court by Mr. A. F. Woodard and Mr. A. A. Birney in support of the same, and leave was granted Mr. Solicitor General Bowers to file a brief in opposition thereto within five days.

929. Globe Asphalt Co., vs. Petitioner, Union Development & Construction Co., et al.

The petition for a writ of certiorari herein was submitted to the consideration of the court on printed arguments by Mr. E. V. Brookshire and Mr. Joseph H. Call in support of the same, and Mr. William Grant and Mr. Harry H. Hall in opposition thereto.

945. Pittsburgh Manufacturing Co., Petitioner vs. The Ludlow Valve Manufacturing Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James I. Kay in support of the same, and Mr. Samuel Untermeyer and Mr. Louis Marshall in opposition thereto.

879. The Illinois Central Railroad Co., Appellant, vs. Robert W. Sheegog, Administrator, &c. — The motions to advance this cause under the 32d rule and to dismiss or affirm were submitted to the consideration of the Court on the record and printed arguments by Mr. John G. Miller in support of the same, and Mr. Blewett Lee and Mr. Edmund F. Trabue in opposition thereto.

708. Edward A. Shedd et al., Plaintiffs in Error, vs. The People of the State of Illinois ex rel. John J. Healy, State's Attorney — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. James Hamilton Lewis in support of the same, and Mr. Harry S. Mecartney in opposition thereto.

821. Southern Pacific Terminal Co. et al., vs. Appellants, The Interstate Commerce Commission
822. E. H. Young vs. Appellant, The Interstate Commerce Commission

Mr. Maxwell Evarts, of counsel for the appellants, submitted to the consideration of the Court a motion to advance these cases.

909 Southern Pacific Co., et al., vs. Appellants, The Interstate Commerce Commission

Mr. Maxwell Evarts, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

925. F. Morse Archer, Substituted Receiver, etc., vs. Petitioner, Fidelity Trust & Safe Deposit Co., et al., Executors, etc.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Arthur Lynham, Mr. Reynolds D. Brown, Mr. Malcolm Lloyd, Jr., and Mr. Charles H. Burr in support of the same, and Mr. Ira Jewell Williams in opposition thereto.

896. The United States ex rel. Annie Kelley, vs. Petitioner, J. M. Peters, Sheriff, &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on

by Mr. A. Winship Wheatley in support of the same, and Mr. William M. Ackton in opposition thereto.

938. The General Fireproofing Co. vs. L. Wallace & Son
939. The Title Guaranty & Surety Co., of Scranton, Pa., vs. L. Wallace & Son.

Petitioner

The petition for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Amor A. Sargent, Mr. F. H. Atwood and Mr. Frank Hagerman in support of the same, and Mr. John N. Hughes in opposition thereto.

17, Orig. Ex parte: In the matter of the Metropolitan Trust Co. of the City of New York.

Original Petitioner.

This cause was submitted to the consideration of the Court on printed arguments by Mr. Henry B. Closson and Mr. Tompkins McIlvaine, of counsel for the petitioner, and Mr. J. Aspinwall Hodge, of counsel for the respondent.

898. The Southern Pacific Co. vs. Vicount De Valle Dacocia, Administrator, &c.

Petitioner.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. William D. Turner and Mr.

The State of Oklahoma, Complainant, vs. The Atchison, Topeka & Santa Fe Railway Co. Original.

Mr. Charles West, of counsel for the complainant, submitted to the consideration of the Court a motion for leave to file a bill of complaint herein.

The State of Oklahoma, Complainant, vs. The Atchison, Topeka & Santa Fe Railway Co., et al. Original.

Mr. Charles West, of counsel for the complainant, submitted to the consideration of the Court a motion for leave to file a bill of complaint herein.

739 Thomas Rhodus, Plff in Error, vs. Elbert N. Manning et al.
740 Edward T. Rhodus, Plff in Error, vs. Elbert N. Manning et al.
741 Birch F. Rhodus, Plff in Error, vs. Elbert N. Manning et al.
742 Birch F. Rhodus et al, Plffs in Error, vs. Elbert N. Manning et al.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph Weissenbach, Mr. Charles R. Holden, and Mr. Samuel Alschuler in support of the same, and Mr. Benjamin C. Bachrach and Mr. Joseph B. David in opposition thereto. Mr. Joseph Weissenbach, in behalf of counsel for the plaintiffs in error, moved the Court for leave to make

same was denied.

927. William W. Wilmerton, Petitioner vs. Frank Wilmerton et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James M. Spear in support of the same, and Mr. S. S. Gregory in opposition thereto—

930. Ransome Concrete Machinery Co., Petitioner vs. United Concrete Machinery Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles L. Sturtevant in support of the same, and Mr. Stephen J. Cox in opposition thereto—

883. William W. Birce (Limited) Plaintiff in Error vs. William Waterhouse et al., Executors, etc. Mr. Evans Browne, in behalf of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause.

940. The Lehigh Valley Transportation Co. (Claimant &c.), Petitioner vs. The petition for a writ of certiorari herein was submit

ation of the Court on printed arg
Archibald G. Thacker in support
and Mr. Herbert Green, Mr. Jame
and Mr. de Lagnel Berier in oppo

950 The Western Assurance Co., of Toronto, vs. Petitioner. The Twindie Trading Co. — The petit of certio now sub

951. A. Foster Higgins et al., vs Petitioners The Twindie Trading Co. — consider Court on ments b C. Burlin Mr. A. Le

support of the same, and Mr. Freder opposition thereto

924. United Surety Co., of Baltimore vs. Petitioner, Iowa Manufacturing Co., et al. — The petitio of certiora now subm consider Court on p ments by

Zunbalen in support of the same, Albert R. Marlatt in opposition thereto

949. Ellis Bartholomew vs Petitioner. The United States. — The petition of certiora submitted f eration of

Mr. P. A. Kaier in support of the ca

813. Morgan's Louisiana & Texas Railroad & Steamship Co., et al., Plaintiffs in Error, vs. Gus C. Strut, Jr. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. W. Parker in support of the same, and Mr. Maxwell Evarts and Mr. H. M. Garwood in opposition thereto.

Proclamation being made, the Court is adjourned

Tuesday, May 31st, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
} Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

The Attorney General addressed the Court as follows:

May it please the Court, at the request of the bar of this court, I present the following resolutions adopted at a meeting held in this court room:

Resolved, That the bar of the Supreme Court of the United States duly deplores the death of the late David J. Brewer, Associate Justice of the Supreme Court, and desires to place upon record an expression of the respect and esteem in which Justice Brewer was held and of regret for the loss which the Court, the Bar and the country have suffered in his untimely death.

His judicial career was one of exceptional length and of marked distinction and success.

First Judicial District of the State of Kansas in 1864; three times elected a justice of the Supreme Court of the State of Kansas; appointed in 1884 judge of the Circuit Court of the United States for the Eighth Circuit; appointed a justice of the Supreme Court of the United States in December, 1889, it will be observed that for nearly fifty years he discharged the high and sacred duties of a judge. In this long service, in the vast number of opinions which he wrote, the infinite variety of legal principles considered and treated, the learning and wisdom displayed, the consecration and fidelity ever and always evidenced, will be found his only fitting eulogy. His remarkable grasp of the underlying principles upon which our whole structure of government rests, his unswerving fidelity to the fixed rules of order and stability so essential and so often sorely tested, his strong, positive, upright, fearless character, his power of sustained intellectual effort, place him easily among the great judges of his day and time. No one ever doubted his purity of life, his integrity of purpose, and all who read and consider his legal opinions pay homage to his profound intellect. Those who knew him are quick to testify to his tender and considerate nature, and those who must be content to find his character in his opinions scattered through many State, Circuit and Su-

probity or power as a jurist.

Resolved That the Attorney General be asked to present these resolutions to the Court with the request that they be entered upon the records and that the Chairman of this meeting be directed to send to the family of the late Justice Brewer a copy of the resolutions and an expression of our sympathy for them in the loss which they have sustained."

Justice Brewer's period of service in this court covered twenty years. These two decades brought before this court some of the most important and far-reaching questions which have ever been submitted for its decision, and in the solution of these great problems Justice Brewer took a leading part. In the reports of this period there are to be found 719 opinions, written by Justice Brewer, in 157 of which he dissented from the conclusions of the majority of the court. The limitations of this occasion will permit only a brief reference to a few decisions which illustrate the characteristics of his mind and the lucidity of his exposition.

One of the earliest of his recorded opinions was that in the case of the Church of the Holy Trinity v. United States, 143 U.S., 457, where the court was called upon to decide whether or not the act prohibiting the importation of foreigners and aliens under contract to perform labor in the United States applied to an

the United States pursuant to an agreement with a Protestant Episcopal Church in the city of New York. The opinion is of special interest, not merely as a fine discriminating construction of the statute, and the application of the principle that laws must receive a sensible construction, and that where a literal construction leads to an absurd conclusion the letter of the law must give way to the presumed intention of the legislature; but because of the enunciation of the principle that "no purpose of action against religion can be imputed to any legislation, state or national, because this is a religious people."

"If we examine the constitutions of the various States," said the learned Justice, "we find in them a constant recognition of religious obligations. Every constitution of every one of the forty-four States contains language which either directly or by clear implication recognizes a profound reverence for religion and an assumption that its influence in all human affairs is essential to the well-being of the community. ----- There is no dissonance in these declarations. There is a universal language pervading them all having one meaning; they affirm and reaffirm that this is a religious nation. These are not individual sayings, declarations of private persons; they are organic utterances, they

These, and many other matters w
be noticed, add a volume of unoffic
tions to the mass of organic utteran
that we a Christian nation. In the
these shall it be believed that a Co
United States intended to make it a
or for a church of this country to co
the services of a Christian ministe
in another nation?"

In the case of Kansas v. Colorad
perhaps one of the most important
which Justice Brewer wrote the opi
Court. He was called upon to deal w
rights and to determine whether or n
has the right to the continuous flow
ters of a river flowing to it through
ing State; or whether the latter Sta
right to so appropriate its waters a
such continuous flow; and whether
of the flow is subject to the superior
and supervisory control of the Uni

In considering at the outset th
tions of the jurisdiction of this cou
troversies between States, Justice B
drew the proposition that the judic
of a nation extends to all controver
sible in their nature, the parties
or the property involved in which m
by judicial process, and when the
power of the United States was ne

power which the nation was capable of exercising was vested in those tribunals, and unless there be some limitations expressed in the Constitution it must be held to embrace all controversies of a justiciable nature arising within the territorial limits of the nation, no matter who may be the parties thereto.

"These considerations," he said, "lead to the proposition that when a legislative power is claimed for the National Government the question is whether that power is one of those granted by the Constitution, either in terms or by necessary implication, whereas in respect to judicial functions the question is whether there be any limitations expressed in the Constitution on the general grant of national power."

One of the ablest opinions of Mr. Justice Brewer is that in the case of In re Debs, Petitioner, 158 U.S., 564, in which he expressed the unanimous views of the court in affirming that the relations of the general government to interstate commerce and the transportation of the mails are such as to authorize a direct interference to prevent an obstruction thereto, and that a court of equity has jurisdiction to issue an injunction in aid of the performance of such duty.

Perhaps in no other opinion of this court is there a better summary of the principles

Government to maintain its sovereignty than that with which Justice Brewer concludes his opinion in this case:

"... We hold that the Government of the United States is one having jurisdiction over every foot of soil within its territory, and acting directly upon each citizen; that while it is a government of enumerated powers, it has within the limits of those powers all the attributes of sovereignty; that to it is committed power over interstate commerce, and the transmission of the mail; that the powers thus conferred upon the National Government are not dormant, but have been assumed and put into practical exercise by the legislation of Congress; that in the exercise of those powers it is competent for the nation to remove all obstructions upon highways, natural or artificial, to the passage of interstate commerce or the carrying of the mail; that while it may be competent for the Government (through the executive branch and in the use of the entire executive power of the nation) to forcibly remove all such obstructions, it is equally within its competency to appeal to the civil courts for an inquiry and determination as to the existence and character of any alleged obstructions, and if such are found to exist or threaten to occur, to invoke the powers of those courts to remove or restrain such obstructions; that the jurisdiction

tion is one recognized from ancient times and by indubitable authority."

Justice Brewer was always noted as a man of deep religious conviction. We have seen that one of the first questions which he was called upon to deal with after his elevation to the Supreme Court involved the relation between religion and the National Government. He was keenly interested in the position of woman in our modern society, and one of the latest of his decisions (Muller v. State of Oregon, 208 U.S. 412) involved the right of a State to regulate the working hours of women. After reviewing the laws of Oregon, he observed

"It thus appears that putting to one side the elective franchise, in the matter of personal and contractual rights they stand on the same plane as the other sex. Their rights in these respects can no more be infringed than the equal rights of their brethren."

Yet he held, and in so doing voiced the unanimous opinion of this court—

"That woman's physical structure and the performance of maternal functions place her at a disadvantage in the struggle for subsistence is obvious. This is especially true when the burdens of motherhood are upon her. Even when they are not, by abundant testimony of the medical fraternity, continu-

repeating that from day to day, tends to injurious effects upon the body, and as healthy mothers are essential to vigorous offspring, the physical well-being of woman becomes an object of public interest and care in order to preserve the strength and vigor of the race

Still, again history discloses the fact that woman has always been dependent upon man. He established his control at the outset by superior physical strength, and this control, in various forms, with diminishing intensity, has continued to the present. × × × × ×. Education was long denied her, and while now the doors of the schoolroom are opened and her opportunities for acquiring knowledge are great, yet even with that and the consequent increase of capacity for business affairs it is still true that in the struggle for subsistence she is not an equal competitor with her brother Though limitations upon personal and contractual rights may be removed by legislation, there is that in her disposition and habits of life which will operate against a full assertion of those rights. She will still be where some legislation to protect her seems necessary to secure a real equality of right."

Your honors know better than any but his immediate family the personal qualities which endeared Justice Brewer alike to his associates on the Bench, to his friends, and to the Bar;

high his place or great his deeds, than that throughout his life he was not only esteemed, but beloved of all who knew him, and, indeed, that praise is greater in proportion as exalted station and high career tend to isolate from one's fellows. Justice Brewer everywhere and always won affection. It was so in his life at the university. His activities as a judge of his adopted State, Kansas, and then de judge of the United States for the largest circuit in the country, were made easier and more effective by the warm and lasting regard of his Bar; and when advancement to this court widened his contact from the lawyers of the West to the lawyers and, indeed, to the people of the nation, he soon gained the love of his countrymen generally, and it remained with him to the end. Reasons need not be sought. They would not be difficult to find or to declare, but such continued and ever extending hold upon the hearts of men proves, without analysis, the worth and beauty of the personality that gains it.

Justice Brewer was the son of a Christian missionary, and the son's life, like the father's, was one of service. For six and forty years he served the people, hearing causes and judging "righteously between every man and his brother and the stranger that is with him". And in the discharge of his great office he did ever obey the injunction laid upon the judges of Israel by

"Ye shall not respect persone in judyment; but ye shall hear the smalle as well as the greate; ye shall not be afraid of the face of man, for the judgment is Godde." (1. Deut. 17.)

The Chief Justice responded as follows:

During the years of my occupancy of a seat upon the Bench it has been my sad duty to accept for the court tributes of the Bar in memory of many members of this tribunal who have passed to their reward. As our brother Brewer joins the great procession there pass before me the forms of Matthews and Miller, of Field and Bradley and Lamar and Blatchford, of Jackson and Gray and of Peckham, whose works follow them now that they rest from their labors. They were all men of marked ability, of untiring industry, and of intense devotion to duty, but they were not alike. They differed as "one star differeth from another star in glory." Their names will remain illustrious in the annals of jurisprudence. And now we are called on to deplore the departure of one of the most lovable of them all.

He died suddenly, but not the unprepared death from which we pray to be delivered. When the unexpected intelligence was conveyed to me I could not but think of Mrs Barbauld's poem on "Life" and seemed to hear our dear friend exclaim —

"Life, we've been long together
Through pleasant and through cloudy weather;
'Tis hard to part when friends are dear,
Perhaps 'twill cost a sigh, a tear;
Then steal away, give little warning,
Choose thine own time;
Say not Good night, but in some brighter clime
Bid me, Good morning."

The resolutions of our Bar and the discriminating remarks of the Attorney General adequately cover the magnificent judicial labors of Mr. Justice Brewer, but it is the ineffable sweetness of his disposition that chiefly impresses itself upon me and is indicated by the serenity of the verse I have quoted.

He was a truly eloquent man. The fountain of tears and the fountain of laughter ran close together and carried the hearer away upon the mingled current of their waters. And like Mr. Lincoln, he evidently found great comfort from the inevitable trials and tribulations of the world in the humorous anecdotes which brought the relief of merriment.

But I cannot prolong these remarks. The resolutions and the observations of the Attorney General will be spread upon our records.

On motion first made to the Court in due behalf by Mr. Solicitor General Bowers, it is ordered that Carl Strover, Esquire, of Chicago

Palo Alto, State of California; Joseph M. Sanders, Esquire, of Bluefield, State of West Virginia, and Williams Hawkins, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elliott W. Major, it is ordered that John M. Atkinson, Esquire, of Jefferson City, and J. D. Hostetter, Esquire, of Bowling Green, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel Davenport, it is ordered that Jeremiah F. Sullivan, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert J. Gamble, it is ordered that Jessie E. Hutchison, of Richland Center, and F. W. Houghton, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester I. Long, it is ordered that James P. Harrold, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. B. S. Rodey, it is ordered that Julius Staab, Esquire, of Albuquerque, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Edward Theodore Noble, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Warren D. Seymour, William A. Blakeley and Robert N. Leitch, Esquires, of Pittsburg, State of Pennsylvania; and George Gordon Battle, Esquire of New York City; Harry G. Gram, Esquire, of Springfield State of Ohio, and Matthew Gering, Esquire, of Plattsmouth, State of Nebraska, be admitted to practice as attorneys and counsellors

On motion first made to the Court in this behalf by Mr. John A. Moon, it is ordered that Wade Hampton Cooper, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. B. Oliver, it is ordered that Allen Laws Oliver, Esquire, of Cape Girardeau, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walker D. Hines, it is ordered that Robert Thompson Jaynes, Esquire, of Walhalla, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harvey M. Friend, it is ordered that Otto Tum Suden and Eugene W. Roland, Esquires, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that William

Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Lamar, it is ordered that William C. Douglass, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert Pursons, it is ordered that Ernest W. Kelley, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. P. Kincaid, it is ordered that Allen G. Fisher, Esquire, of Chadron, State of Nebraska be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Barry Mohun, it is ordered that James A. Croxdale, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Miles Poindexter, it is ordered that Frank Reeves, Esquire, of Wenatchee, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

159. The City of Omaha, Petitioner vs Omaha Water Co. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause, be and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Justice Lurton.

644 A. L. Hertz, Collector of Internal Revenue, vs. Gordon O. Woodman, John Woodman and John A. Munroe, as Executors of the Estate of David C. Woodman, deceased, et al. On a certificate from the United States Circuit Court of Appeals for the Seventh Circuit

from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Lurton.

Dissenting:
Mr. Justice McKenna
Mr. Chief Justice Fuller
Mr. Justice Day.

1, Original. The State of Maryland, Complainant, vs. The State of West Virginia } In Equity.

This cause came on to be heard at this term and was argued by counsel; and thereupon, on consideration thereof, it was adjudged and decreed as follows:

First, That the true boundary lines between the States of Maryland and West Virginia is ascertained and established as follows:

Beginning at the common corner of the States of Maryland and Virginia on the southern bank of the Potomac River at low-water mark at or near the mouth of the Shenandoah River, (near Harper's Ferry,) and running thence with

at low-water mark and with the southern bank of the North Branch of the Potomac River at low-water mark, to the point where the north and south line from the Fairfax Stone crosses the said North Branch of the Potomac, and thence running northerly, as near as may be, with the Deakins or Old State line to the line of the State of Pennsylvania.

Second, That Julius K. Monroe, William McCulloch Brown and Samuel S. Gannett be, and they are hereby, appointed commissioners to run, locate and establish and permanently mark with suitable monuments the said Deakins or Old State line as the boundary line between the States of Maryland and West Virginia from said point on the southern bank of the North Branch of the Potomac River to the said Pennsylvania line, in accordance with the opinion of this court heretofore filed in this case and with this decree, the said line to be run and located as far as practicable as it has been generally recognized and adopted by the people residing about or near the same as the boundary line between the said States, and not as conforming, except to a limited extent, to the western boundary of the Maryland Military Lots as said lots are now located and held. Said commissioners shall mark said line as run, located and established by them with suitable stone monuments, at reasonable and proper intervals, according to the topography of

It is further ordered that before entering upon the discharge of their duties each of said commissioners shall be duly sworn to perform faithfully, impartially and without prejudice or bias the duties herein imposed; said oath to be taken before the clerk of this Court or before either of the clerks of the Circuit Courts of the United States for the District of Maryland or for the Northern District of West Virginia, or before an officer authorized by law to administer an oath in the State of Maryland or of West Virginia, and returned with their report; that said commissioners may arrange for their organization, their meetings and the particular manner of the performance of their duties, and are authorized to adopt all ordinary and legitimate methods in the ascertainment of the true location of said boundary line including the taking of evidence under oath and calling for papers and documents, but in the event evidence is taken the parties shall be notified and permitted to be present and cross-examine the witnesses; and all evidence taken by the commissioners and all exceptions thereto and action thereon shall be preserved and certified and returned with their report.

Said commissioners are also at liberty to refer to and consult the printed record in the cause so far as they may think proper to enable them to discharge their duties under this decree.

It is further ordered that the clerk of this

of said State of Maryland and W
and to each of the commissioners a
this decree, a copy of this decree du
And said commissioners are auth
deem it necessary, to request the
and assistance of the State authori
formance of the duties imposed on
decree.

It is further ordered that said
do proceed with all convenient dis
charge their duties in running, lo
ing and marking said line as he
and make their report thereof and
ceedings in the premises to this co
the first day of January, 1911, toget
plete bill of costs and charges ann

It is further ordered that shou
occur in said board of commissio
of death, the refusal to act or inabilit
the duties required by this decree, t
of this Court is hereby authorized an
to appoint other commissioners to
vacancies and said Chief Justice is
to act on such information in the p
may be satisfactory to himself.

It is further ordered that all
the proceedings by said commissi
this decree including a remunerat
exceding fifteen dollars ($15.00) per
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Vest Virginia,
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ties hereunder, and the other costs incident to the running, locating, establishing and marking said line, shall be paid by the States of Maryland and West Virginia equally.

Third. That the cross bill of the State of West Virginia, in so far as it asks for a decree fixing the north bank of the Potomac River as the boundary line between said States be, and the same is hereby, dismissed

Fourth. That this decree shall not be construed as abrogating or setting aside the compact made between commissioners of the State of Maryland and the State of Virginia at Mount Vernon on the 28th day of March, 1785, and which was confirmed by the general assembly of Maryland and afterwards by act of the general assembly of Virginia passed on the 3rd day of January, 1786, but the said compact, except so far as it may have been superseded by the provisions of the Constitution of the United States, or may be inconsistent with this decree shall remain obligatory upon, and between the States of Maryland and West Virginia, so far as it is applicable to that part of the Potomac River which extends along the border of said States, as ascertained and established by this decree.

Fifth. That all the costs in this case and the proceedings therein as the same shall be taxed by the clerk of this court, and including

States under the order or orders of this court, said costs for said surveys to be ascertained and taxed by the clerk of this court upon vouchers sworn to and exhibited to him, shall be equally divided between the said two States.

Per Mr. Justice Day.

Harry T. Herndon, Prosecuting Attorney of Clinton County, Missouri, and Cornelius Roach, Secretary of State of the State of Missouri,
vs. Appellants,
The Chicago, Rock Island & Pacific Railway Co.

Appeal from the Circuit Court of the United States for the Western District of Missouri.

150 164

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

(Mr. Chief Justice Fuller concurs in the result.)

Cornelius Roach, Secretary of State of the State of Missouri,
vs. Appellant
The Atchison, Topeka & Santa Fe Ry Co.

Appeal from the Circuit Court of the United States for the Western District of Missouri.

151 174

of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

(The Chief Justice Fuller concurs in the result.)

Pink Franklin,
vs. Plaintiff in Error,
The State of South Carolina. } In Error to the Supreme Court of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

John A. Watson,
vs. Plaintiff in Error,
The State of Maryland. } In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel. On

and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

12. Original. Ex parte: In the matter of Henry A. Cleland, Petitioner. On consideration of the petition for a writ of mandamus herein, the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged and that the petition for the writ of mandamus be, and the same is hereby, denied.

Per Mr. Justice Holmes.

105. Alfred Dozier, Plaintiff in Error, vs. The State of Alabama. In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Edward S. Thomas as Trustee in Bankruptcy of Charles T. Lightstone, Bankrupt,
134 vs. Appellant,
Solomon M. Sugarman et al.

Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

The Interstate Commerce Commission
663 vs. Appellant,
The Chicago, Rock Island & Pacific Railway Co., et al.

Burnham, Hanna, Munger Dry Goods Co. et al.
664 vs Appellants,
The Chicago, Rock Island & Pacific Railway Co., et al.

Appeals from the Circuit Court of the United States for the Northern District of Illinois.

of the record from the Circuit Court of the United States for the Northern District of Illinois on separate appeals and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill and all proceedings in said Court.

Per Mr. Justice McKenna

Dissenting:
Mr. Justice White
Mr. Justice Holmes
Mr. Justice Lurton.

641. The Interstate Commerce Commission, vs. Chicago, Burlington & Quincy Railroad Co., et al. Appellant

Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, re-

the same is hereby remanded to the said Circuit Court with directions to set aside the injunction and dismiss the bill

per Mr. Justice McKenna

Dissenting:
Mr. Justice White
Mr. Justice Holmes
Mr. Justice Lurton.

Shevlin-Carpenter Co. and John F. Irwin, vs. The State of Minnesota — In Error to the Supreme Court of the State of Minnesota

139. Plaintiffs in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice McKenna

(Mr. Justice Harlan concurs in the result.)

J. Alexander Chiles, vs. Chesapeake & Ohio Railway Co. — In Error to the Court of Appeals of the State of Kentucky

158. Plaintiff in Error.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Harlan.

168. Standard Oil Co., vs. Abraham Brown. Plaintiff in Error, In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

144. George C. Rankin, Receiver of the Berlin National Bank and The Berlin National Bank, vs. John Emigh and O. L. Aitkine Plaintiffs in Error, In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State

consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice White.

The Louisville & Nashville Railroad Co., Plaintiff in Error, vs. Spencer Melton. In Error to the Court of Appeals of the State of Kentucky.

180

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice White.

Mathilde von Ehert Sistare, Plaintiff in Error, vs. Julia L. Sistare, Executrix of Horace Randall Sistare, deceased. In Error to the Supreme Court of Errors of the State of Connecticut.

7.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that

Error in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court of Errors for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice White.

Ex parte: In the matter of J. W. Gruetter. Petitioner. Original.

On consideration of the petition for a writ of mandamus herein, the return to the rule to show cause and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged and that the petition for the writ of mandamus be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The United States, Plaintiff in Error, vs. Lizzie Sewell and George B. Wood Sewell. 15

In Error to the Circuit Court of the United States for the Eastern District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Kentucky, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed,

required to pay for the land held to have been taken
the plaintiffs below shall furnish a survey, definite
ly ascertaining the land by metes and bounds
per Mr. Chief Justice Fuller

The State of Oklahoma, Complainant,
Original vs.
The Atchison, Topeka & Santa Fe Railway Co.

On consideration of the motion for leave to file the bill of complaint herein, It is now here ordered by the Court that the said motion be, and the same is hereby, granted and that process issue returnable on the first day of the next term
per Mr. Chief Justice Fuller

The State of Oklahoma, Complainant
Original vs.
The Atchison, Topeka & Santa Fe Railway Co., et al.

On consideration of the motion for leave to file the bill of complaint herein, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and that process issue returnable on the first day of the next term.
per Mr. Chief Justice Fuller

441. Atlantic Coast Line Railroad Co., Plaintiff in Error.
vs.
Riverside Mills

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and

for argument on Tuesday, October 11th next, after the cases heretofore assigned for that day, one-half hour being allowed each side for oral argument. It is further ordered that leave be, and the same is hereby, granted to the United States to be heard herein as amicus curiae.

Per Mr. Chief Justice Fuller

561. Alonzo Bailey, Plaintiff in Error, vs. The State of Alabama

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 11th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

560 William Dreier, Plaintiff in Error, vs. The United States

661. William Dreier, Appellant, vs. William Henkel, U. S. Marshal &c.

On consideration of the motion to advance these cases It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument as one case on Tuesday, October 11th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Edward A. Shedd, Charles B. Shedd and Edward J. Shedd, Plaintiffs in Error, vs. The People of the State of Illinois ex rel. John J. Healy, State's Attorney. In Error to the Supreme Court of the State of Illinois

708.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

Thomas Rhodus, Plaintiff in Error, vs. Elbert N. Manning, Louis P. Hugel, Herbert N. Chetham et al. In Error to the Supreme Court of the State of Illinois

739

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed

740 Edward T. Rhodus, Plaintiff in Error, vs. Elbert N. Manning, Louie P. Hugel, Herbert N. Chetham et al. In Error to the Supreme Court of the State of Illinois

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

741. Birch F. Rhodus, Plaintiff in Error, vs. Elbert N. Manning, Louie P. Hugel, Herbert N. Chetham et al. In Error to the Supreme Court of the State of Illinois

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller

742. Birch F. Rhodus, Thomas Rhodus and Edward T. Rhodus. vs. Elbert N. Manning, Louis P. Hayes, Herbert N. Cheetham et al. Plaintiffs in Error. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and on motion to dismiss or affirm which was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

761. Ong Chang Wing and Kwong Fok, vs. The United States. Plaintiffs in Error. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 11th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller

Tuesday, May 31st, 1910.

777

Frank W. Brown,
vs. Appellant,
C. J. Elliott, U. S. Marshal, etc., et al.

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of counsel thereupon had, as well a
against the same, It is now here or
Court that said motion be, and the
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the sum of $5,000, conditioned acc
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the United States for the Northern D
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Per Mr. Chief Ju

Morgan's Louisiana and
Texas Railroad and
Steamship Co., and its Surety,
The United States Fidelity and
Guaranty Co.,

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8/82

vs. Plaintiffs in Error,
Lucie C. Street, Jr.

This cause came on to be heard on th
of the record from the Court of Civil Ap
Fourth Supreme Judicial District of
Texas, and on motion to dismiss or a
was argued by counsel. On consider
It is now here ordered and adjudged
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affirmed with costs.

Per Mr. Chief Justice Fuller.

821. Southern Pacific Terminal Co., et al., Appellants, vs. The Interstate Commerce Commission et al.

822 E. H. Young, Appellant, vs. The Interstate Commerce Commission et al.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument as one case on Monday, December 5th next.

Per Mr. Chief Justice Fuller.

875. The United States, Petitioners, vs. The Atchison, Topeka & Santa Fe Railway Co.

On consideration of the motion to advance this case, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, December 5th next, after the case heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

879. The Illinois Central Railroad Co., Appellant, vs. Robert W. Shuegoy, Administrator &c.

On consideration of the motion to advance this cause under the

said motion be, and the same is hereby, g
per Mr. Chief Justic

876 The Illinois Central Railroad Co., vs. Appellant. Robert W. Shugoy, Administrator of John E. Shugoy, deceased.

Appeal from
cuit Court of
States for the
District of

This cause came on to be heard on the tr
of the record from the Circuit Court of th
States for the Western District of Kentucky
motion to dismiss or affirm which was
by counsel. On consideration whereof, It
here, ordered, adjudged and decreed by t
that the decree of the said Circuit Court
cause be, and the same is hereby, affirme
costs.

per Mr. Chief Justice

857 William W. Bierce, Limited, vs. Plaintiff in Error, William Waterhouse et al., Executors, etc.

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that said motion be, and the same is he
granted, and the cause assigned for argu
Monday, December 5th next, after the cau
first assigned for that day

849. Hipolite Egg Co., Claimant, &c., vs. Plff'in Error & Appellant, The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, January 3d, 1911.

per Mr. Chief Justice Fuller.

909. Southern Pacific Co., et al., vs. Appellants, Interstate Commerce Commission. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, December 5th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

919. The United States of America, vs. Appellant, Lehigh Valley Railroad Co

920 The United States of America, vs. Appellant Erie Railroad Co.

921 The United States of America, vs. Appellant, The Central Railroad Co. of New Jersey

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted

assigned for argument as one ca
January 3d, 1911, after the case he
signed for that day:

Per Mr. Chief Ju

925. The United States, Plaintiff in Error, vs. Press Publishing Co.

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the same is hereby granted, and the
signed for argument on Tuesday,
next, after the cases heretofore assig
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oral argument.

Per Mr. Chief J

953 New York, New Haven & Hartford Railroad Co., Plaintiff in Error, vs. Mary Agnes Walsh, Administratrix &c.

954 Mary Agnes Walsh, Administratrix &c., Plaintiff in Error, vs. New York, New Haven & Hartford Railroad Co.

granted, and the cause assigned for a
with case No. 700, on Tuesday, October
one-half hour being allowed each sid
argument.

The United States ex rel.
Annie Kelley
vs. Petitioner,
896 J. M. Peters, Sheriff of
Champaign County, Illinois

On petition for writ of certiorari to the United States circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States circuit Court of Appeals for the Seventh circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

The Southern Pacific Co.,
vs. Petitioner,
895. Viscount De Valle DaCosta,
Administrator of Delfino
Rodriguez, deceased

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit

On consideration of the petition for a writ of certiorari herein to the United States circuit Court of Appeals for the First circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

Tuesday, May 31st, 1910, continued

924. United Surety Co. of Baltimore vs. Iowa Manufacturing Co. et al. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

927. William W. Wilmerton, vs. Frank Wilmerton and Louisa W. Little Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

928. F. Morse Archer, Substituted Receiver of The American Alkali Co., vs. Fidelity Trust & Safe Deposit Co. et al., Executors of Joseph F. Sinnott, deceased. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

929. Globe Asphalt Co., vs. Union Development & Construction Co., Limited et al. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

930 Ransome Concrete Machinery Co., Petitioner, vs. United Concrete Machinery Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

938. The General Fire Proofing Co., Petitioner, vs. L. Wallace & Son — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

939 The Title Guaranty & Surety Co. of Scranton, Pennsylvania, Petitioner, vs. L. Wallace & Son

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice [illegible]

940 The Lehigh Valley Transportation Co., Claimant of the Steam Tug "Geneva," Petitioner, vs. Thomas Monk, Jr., et al

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice [illegible]

945. Pittsburgh Manufacturing Co., Petitioner vs. Ludlow Valve Manufacturing Co

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of cert
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Appeals for the Third Circuit.

On consideration of the petition for c
certiorari herein to the United State
Court of Appeals for the Third Circu
the argument of counsel thereupon ha
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ordered by the Court that said petition
the same is hereby denied.

Per Mr. Chief Just

949 Ellis Bartholomew, Petitioner, vs. The United States.

On petition fo
certiorari to th
States Circuit
Appeals for the

On consideration of the petition for c
certiorari herein to the United State
Court of Appeals for the Sixth Circuit,
argument of counsel thereupon had, a
support of as against the same, It is
ordered by the Court that said petitio
the same is hereby denied

Per Mr. Chief Justi

950. The Western Assurance Co., of Toronto, Petitioner, vs. The Tweedie Trading Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

951. A. Foster Higgins, Herbert Appleton and Douglas F. Cox, Petitioners, vs. The Tweedie Trading Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

American National Bank of Washington.
837 vs. Plaintiff in Error,
Fannie N. Tappan

In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

747 Stella P. Flint, Guardian &c., Appt, vs. Stone Tracy Co., et al
751 Wyckhoff Van Denhoff, Appt vs. The Coney Island & Brooklyn R.R. Co. et al.
752. Francis L. Stone, Appt, vs. Home Life Insurance Co., et al
753 Fred W. Smith, Appt, vs The Northern Trust Co. et al
754 William H. Miner, Appt, vs. The Corn Exchange National Bank of Chicago et al
757. Cedar Street Co., Appt, vs. Park Realty Co
767. Lewis W. Jarud, Appt, vs. The American Multigraph Co., et al
775 Joseph E. Gay, Appt, vs. The Baltic Mining Co., et al
784 Percy N. Brundage, Appt, vs. Broadway Realty Co., et al
785 Paul Lacroix, Appt, vs. Motor Taximeter Cab Co., et al
796. Arthur Lyman et al, Trustees &c, Appt, vs Interborough Rapid Transit Co. et al
797 George Wendell Phillips, Appt, vs. Fifty Associates et al
800 Oscar Mitchell, Appt, vs. Clark Iron Co., et al
816 William F. Fluhrer et al, Appts, vs. New York Life Insurance Co.
819. Katherine Cary Cook et al, Appts, vs Bolton Hart Co., et al.

and the same are hereby restored to the docket for argument before a full bench.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of the State of Oklahoma, 13, Original. Petitioner.	It is ordered by the Court that these cases be, and the same are hereby restored to the docket for argument before a full bench.
Ex parte: In the matter of the State of Oklahoma, 14, Original. Petitioner	

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Metropolitan Trust Co., of the City of New York, 17, Original Petitioner	It is ordered by the Court that this cause be, and the same is hereby, assigned for argument at the head of the call for Tuesday, October 11th next.

per Mr. Chief Justice Fuller.

Order.

In pursuance of Section 29 of the Act of Congress approved August 5, 1909,

It is now here ordered by this Court that the following table of fees to be charged in the United States Court of Customs Appeals be, and the same is hereby, adopted and approved, viz:

The fees of the clerk of the court shall be as

in case on appeal to other federal courts transferred to this court for final determin There shall be paid for each certificate of sion of an attorney to practice, one dolla for making or copying any record or other and certifying the same fifteen cents per fo one hundred words. An amount sufficien cover the cost of printing the record shall be ed with the clerk on his demand, provided when an appeal is taken by the United St payment of fee shall be required. In all cases fee shall be paid in advance.

It is further ordered that the fee un to be allowed to the Marshal shall be and h are fixed the same as those allowed to the of the Supreme Court of the United States

Per Mr. Chief Justic

Henry Melville Walker, Appellant,
v. 354
Edward H. Harriman.

Mr. B. C. Chetwoo counsel for the a suggested the de Edward H. Harr

the appellee in this cause, and moved the for an order under the 15th rule to make proper representatives parties: Whereupo now here ordered by the Court that unle proper representatives of said Edward H. H deceased, as aforesaid, shall voluntarily parties within the first ten days of the n term of this Court, the appellant shall be

ere reversed, if it be erroneous; Provided, however, that a copy of this order shall be printed in some newspaper of general circulation within the State of New York for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing

Henry L. Hertz, Collector, &c.,
vs.
640. Gordon O. Woodman et al., Executors, etc. On motion of Mr. H. T. Newcomb, of counsel for Woodman et al, Executors, etc., leave is hereby granted to present a petition for rehearing herein within thirty days.

Herbert S. Hadley et al., Petitioners.
916. vs.
Arthur C. Huidekoper The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Elliott W. Major in support of the same.

Annie Lapina,
976. vs. Petitioner
William Williams, Commissioner of Immigration The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. J. Henry Harris in support of the same

Tuesday, May 31st, 1910, continued

974. Lon D. Marre, Petitioner vs. Idella Emrick. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. I. W. Stephens and Mr. George E. Miller in support of the same, and Mr. Charles K. Bell in opposition thereto. 887.

957 Bartlett Richards, Petitioner, vs. The United States
958 Will G. Comstock, Petitioner, vs. The United States
959 Charles C. Jameson, Petitioner, vs. The United States
960 Acquilla Triplett, Petitioner, vs. The United States 663.

The petition for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles J. Hughes, Jr., Mr. John W. Lacey and Mr. R. S. Hall in support of the same, and Mr. Solicitor General Bowers in opposition thereto. 664.

2414 David Munro Rogers et al., Infants, etc., et al., Plaintiffs in Error, vs. Clark Iron Co., et al. On motion of Mr. A. B. Browne in behalf of counsel for the plaintiffs in error, leave is hereby granted to present a petition for rehearing herein within thirty days. 641.

171

Roy Vermont et al.,
vs. Petitioners.
The United States.

Mr. W. B. C. Brown, in behalf of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to present a petition for rehearing herein, Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

The Interstate Commerce Commission,
vs. Appellant.
The Chicago, Rock Island & Pacific Railway Co., et al
Burnham, Hanna, Munger Dry Goods Co., et al.,
vs. Appellants,
The Chicago, Rock Island & Pacific Railway Co., et al.
The Interstate Commerce Commission,
vs. Appellant,
The Chicago, Burlington & Quincy Railroad Co.

On motion of Mr. Walker D. Hines, of counsel, It is ordered by the Court that leave be, and the same is hereby, granted to present petitions for rehearing in these cases within thirty days from this date. It is further ordered by the Court that the mandates in these cases issue, if said petitions are not presented in the time specified above.

Clemente Javierre et al &c.,
vs. Appellants,
Central Altagracia (Incorporated)

On motion of Mr. George A. Lamar, in behalf of counsel

present a petition for rehearing herein within thirty days

Ex parte: In the matter of the Eastern Cherokees, Original. Petitioners. The motion for leave to file a petition for a writ of mandamus herein was submitted to the consideration of the Court by Mr. John B. Daish and Mr. Joseph D. Sullivan in support of the same.

629.

975. Jacob Gold, Petitioner vs. The Southside Trust Co., Trustee, etc.. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr Lovric C. Barton in support of the same.

967. Margaret Kopp et al., Appellants, vs. Maria Waters. The motion to dismiss herein was submitted to the consideration of the Court on printed arguments by Mr. Irving Williamson in support of the same, and Mr. Willon J. Lambert and Mr. Daniel W. Baker in opposition thereto.

910.

Fourth Street National Bank, Petitioner,
vs.
C. Merritt Taylor, Edward F. Shumbacker and R. N. Malpass, Trustees in Bankruptcy of the Milbourne Mills Co., Bankrupt.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

It appearing to the Court that a motion by counsel for the petitioner to dismiss the writ of certiorari in this cause has been filed, Therefore in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of certiorari in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Alice Ella Marilla Harding, Plaintiff in Error,
vs.
Myrtle Gillett, George P. Rush Bruce Sanders and John Romig.

In Error to the Supreme Court of the State of Oklahoma.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Tuesday, May 31st. 1910. continued.

Order.

It is now here ordered by the court that all the cases on the docket not decided, and all the other business of the term not disposed of be, and the same are hereby, continued until the next term.

Per Mr. Chief Justice Fuller.

Proclamation being made, the court is adjourned

The United States Fidelity and Guaranty Company.
Capital Paid in Cash $1,700,000
Total Resources over $3,500,000.

Home Office:
Baltimore, Md.

Know all men by these presents, That we, John Montgomery Wright, of Louisville, Kentucky, and The United States Fidelity and Guaranty Company, a corporation created and existing under the laws of the State of Maryland, are held and firmly bound unto the United States of America, in the penal sum of Twenty Thousand Dollars, lawful money of the United States, to be paid to the said United States or their certain attorney; to which payment well and truly to be made, we bind ourselves, our and each of our heirs, executors and administrators and assigns, jointly and severally, firmly by these presents;

Sealed with our seals and dated this 13th day of April, 1910.

Whereas, the above bounden, John Montgomery Wright hath been appointed Marshal of the Supreme Court of the United States. Now, therefore, the condition of the above obligation is such, that if the said John Montgomery Wright shall faithfully discharge the duties of the said office and shall well and faithfully keep, disburse, pay over and account for, according to law, all moneys that may come into his

obligation to be void; otherwise to re
full force and virtue in law.
Witnesses. John Montgom
Fraux K. Green
M. C. Tompkins
Witnesses. The United State
Wm L. Burmeister Guaranty Co.
Wm A. Horbach By J. S. Burmeis
Attorney in
Washing

The within and foregoing bond is here
as to form, the sufficiency of the amoun
and the sufficiency of the sureties ther
Melville W. Fuller
Chief Justice of the U

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United States.

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ME

At the Capital of the United States, in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October (being the tenth day of the said month) in the year of our Lord one thousand nine hundred and ten and of the Independence of the United States the one hundred and thirty-fifth, the Supreme Court of the United States met agreeably to law.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

Mr. Justice Harlan, Presiding Justice, said:

"Gentlemen of the Bar: Since the last term the Honorable Charles Evans Hughes has been appointed an Associate Justice of this Court, to fill the vacancy occasioned by the death of Mr. Justice Brewer. Mr. Hughes is present and

The Court extends a most cordial welcome the new member. The Clerk will read commission and administer the oath."

The commission and oath of office a the following words, viz:

William H. Taft,

President of the United States of A

To all who shall see these presents, Gree

Know Ye, That, reposing special trust a fidence in the wisdom, uprightness and ing of Charles E. Hughes, of New York, I nominated, and by and with the advice consent of the Senate, do appoint him Ass Justice of the Supreme Court of the Unit States, and do authorize and empower hi execute and fulfill the duties of that Offic ding to the Constitution and Laws of the United States, and to have and to hold Office, with all the powers, privileges and emuments to the same of right appertaining him, the said Charles E. Hughes, during good behavior.

In testimony whereof, I have caused the tere to be made Patent, and the Seal of the partment of Justice to be hereunto affixed.

Given under my hand, City of Washington, the E of May, in the year of our one thousand nine hun

Seal

dence of the United States of America the one hundred and thirty-fourth.

William H. Taft.

By the President:
George W. Wickersham,
Attorney General

Supreme Court of the United States.
October Term, 1910.

I, Charles E. Hughes, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Charles E. Hughes.

Subscribed and sworn to before me, this 10th day of October, A. D. 1910.

John M. Harlan,
Senior Associate Justice of the Supreme Court of the United States

Supreme Court of the United States.
October Term, 1910.

I, Charles E. Hughes, do solemnly swear that

persone, and do equal right to the poor and
rich, and that I will faithfully and impart
discharge and perform all the duties incu
on me as Associate Justice of the Supreme C
of the United States according to the best
abilities and understanding, agreeably to
Constitution and laws of the United Sta
So help me God.

Charles E. Hughes

Subscribed and sworn to
before me this 10th day
of October, A.D. 1910

Seal

James H. McKenney,
Clerk of the Supreme Court
of the United States.

Mr. Justice Harlan continued:

"Gentlemen of the Bar: Since its last s
this Court has sustained a very great loss
earthly career of the Chief Justice has been c
by death. This sad event occurred on the 4th
of July of the present year at his summer re
dence, after nearly twenty-three years of co
ous and distinguished service on this Bench
met the final summons with that calmness
spirit and composure of mind that marked
whole life. From his early manhood he wa
in the Good Way, uprightly before God and his
fellowmen, and passed from this Life into
Life beyond the grave in the confident belief

ordered all things aright. This Court, indeed the Nation, will miss him, but the memory of his stainless life will ever remain with his countrymen as a priceless heritage."

The regular call of the docket will be commenced tomorrow. No formal business will be transacted by the Court today. All motions and applications noticed for today will then be heard.

The Presiding Justice then announced that out of respect for the late Chief Justice, the Court would now adjourn until tomorrow at the usual hour.

Proclamation being made, the Court is adjourned

Tuesday, October 11th. 1910

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes.
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Joseph F. Berry, Esquire, of New Haven, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas S. Fuller, it is ordered that William Church Osborn, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Furman Y. Smith. Esquire, of Alachua. State of Florida. be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. P. Doolittle, it is ordered that James J. Lamb and Charles F. Kemmerer, Esquires of Davenport, State of Iowa, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tompkins McIlvaine, it is ordered that Edward Chambers Sperry, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin Micou, it is ordered that Walter Hart Neal, Esquire, of Laurinburg, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Calhoun, it is ordered that M. L. Bell, Esquire, of Chicago, State of Illinois,

and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Bride, it is ordered that William J. Grace, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred Beall, it is ordered that George H. Macdonald, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Lewis Smith it is ordered that Hugh M. Caldwell, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Mason Brown, it is ordered that Stephen A. McGuire, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard Randolph McMullan, it is ordered that James A. Wakefield, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Charles Poe, it is ordered that Edward M. Hopewell, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank S. Bright, it is ordered that Henry White, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morgan M. Mann, it is ordered that Charles C. Maas, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. George E. Hamilton it is ordered that James Denis Mocgnot and William Francis Bradshaw, Jr., Esquires, of Paducah, State of

and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Pierson, it is ordered that Charles W. Stockton, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred P. Thom, it is ordered that Charles K. Moorman, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that Charles Irving Wright, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Hogg, it is ordered that William M. O. Dawson, Esquire, of Charleston, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Frantz, it is ordered that Gordon A. Hyatt, Esquire, of Dunkirk, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

788. The Baltimore & Ohio Southwestern Railroad Co., Plaintiff in Error, vs. The United States

On motion of Mr. Attorney General Wickersham, It is ordered by the Court that these cases be, and the same are hereby, reassigned for argument on Tuesday, January 3, 1911, after the cases heretofore assigned for that day.

118. The United States, Appellant, vs. The American Tobacco Co., et al.

119. The American Tobacco Co., et al., Appellants, vs. The United States.

On motion of Mr. Attorney General Wickersham, It is ordered by the Court that these cases be, and the same are hereby, reassigned for argument on January 3, 1911, after the cases heretofore assigned for that day.

129 The United States
vs. Plaintiff in Error,
George F. Lamson

In Error to the Cir
Court of the United
for the District of
Island.

The cause having been called to the attenti
the Court by Mr. Attorney General Wickersh
of counsel for the plaintiff in error, and he h
moved the Court to dismiss the writ of erro
this cause, Therefore, in pursuance of said mo
it is now here ordered and adjudged by this C
that the writ of error in this cause be, and t
same is hereby dismissed.

per Mr. Justice Harlan

292 The United States.
vs. Plaintiff in Error,
James Durie

In Error to the Dist
Court of the United
for the Eastern Dis
of Pennsylvania.

This cause having been called to the attention
the Court by Mr. Attorney General Wickersham
counsel for the plaintiff in error, and he havi
moved the Court to dismiss the writ of erro
this cause, Therefore, in pursuance of said mo
it is now here ordered and adjudged by this
Court that the writ of error in this cause be,
the same is hereby dismissed.

per Mr. Justice Harlan

293. The United States. Plaintiff in Error; vs. James Stott. In Error to the District Court of the United States for the Eastern District of Pennsylvania.

This cause having been called to the attention of the Court by Mr Attorney General Wickersham, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Justice Harlan.

331. William Brown et al. Appellants, vs. The United States. On motion of Mr. Attorney General Wickersham, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument with case No. 60.

353. The United States, Plaintiff in Error, vs. Hugh E Monson. In Error to the District Court of the United States for the District of Colorado.

This cause having been called to the attention of the Court by Mr. Attorney General Wickersham, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in

it is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed.

per Mr. Justice Harlan.

383.

354 The United States, Plaintiff in Error, vs. Luigi Cufarelli — In Error to the District Court of the United States for the District of Colorado.

388

This cause having been called to the attention of the Court by Mr. Attorney General Wickersham, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

389.

per Mr. Justice Harlan.

313.

355 The United States, Plaintiff in Error, vs. William A. Duncan — In Error to the District Court of the United States for the District of Colorado.

This cause having been called to the attention of the Court by Mr. Attorney General Wickersham, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and

398.

Northern Pacific Railway Co.
vs. Plaintiff in Error,
Bessie Babcock, Administratrix, etc.
New York, New Haven & Hartford Railroad Co.,
vs. Plaintiff in Error,
Mary Agnes Walch, Administratrix &c.
Mary Agnes Walch, Administratrix &c.,
vs. Plaintiff in Error,
New York, New Haven & Hartford Railroad Co.

On motion of Mr. Attorney General Wickersham, in behalf of counsel, It is ordered by the Court that these cases be, and the same are hereby, re assigned for argument on Monday, November 28th next.

Edgar G. Mondou,
vs. Plaintiff in Error,
New York, New Haven & Hartford Railroad Co.

On motion of Mr. Donald G. Perkins, of counsel for the plaintiff in error It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with cases Nos. 383, 558 and 559. On motion of Mr. Attorney General Wickersham leave is hereby granted him to file brief herein as amicus curiae.

Standard Oil Co, et al.,
vs. Appellants,
The United States

On motion of Mr. Attorney General Wickersham It is ordered by the Court that this case and the same is hereby, reassigned for argu-

cause heretofore assigned for that day.

433 The United States
vs Plaintiff in Error,
O. A. Johnson.

On motion of Mr
torney General W
sham, It is order
by the Court that
cause be, and the same is hereby, reassigned
for argument on Tuesday, January 3. 1911. a
the cause heretofore assigned for that day.

No 24. The United States.
vs. Plaintiff in Error,
Henry Boeckmann

In Error to the C
cuit Court of the
United States for
Eastern District of

New York.

This cause having been called to the attention
the Court by Mr. Attorney General Wickersham
of counsel for the plaintiff in error, and he hav
moved the Court to dismiss the writ of error in
this cause, Therefore, in pursuance of said m
tion, It is now here ordered and adjudged by
this Court that the writ of error in this cau
and the same is hereby, dismissed.

per Mr. Justice Harla

65 Ary E. Zonne,
vs. Appellant
Minneapolis Syndi-
cate et al.

On motion of Mr
Attorney General
Wickersham in be
of counsel, It is or
dered by the Court

that this cause be and the same is hereby

advanced and assigned for argument after case No. 448.

448 Amory Eliot, Appellant, vs. James G. Freeman et al. On motion of Mr. K. W. Hale, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument after case No. 407 and kindred cases.

496 Maine Baptist Missionary Convention, Appellant, vs. Charles E. Cotting, et al. &c. On motion of Mr. Barry Mohun, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument after case No. 407 and kindred cases.

407 Stella P. Flint, General Guardian &c., Appellant, vs. Mono Tracy Co., et al and [Nos. 409, 410, 411, 412, 415, 420, 425, 431, 432, 442, 443, 446, 456 & 457] On motion of Mr. Attorney General Wickersham, It is ordered by the Court that these cases be, the same are hereby, assigned for argument on Tuesday, January 3, 1911, after the cases heretofore assigned for that day

686. The United States of America, Appellant, vs. The Terminal Railroad Association of St. Louis et al. On motion of Mr. Attorney General Wickersham, of counsel for the appellant, It is ordered by the Court that the transcript of record now on file in this Court in case No. 597 of the October Term, 1909, be taken as part of the transcript of the record on this appeal.

3, Original. Commonwealth of Virginia, Complainant, vs. State of West Virginia. On motion of Mr. W. G. Conley, of counsel for the defendant, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, January 16, 1911.

375. Seaboard Air Line Railway, Plaintiff in Error, vs. Ernest N. Duvall. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William C. Douglas in support of the same and Mr. A. A. Herbert, Mr. Benjamin Micou, Mr. Richard P. Whitely and Mr. Walter Hurt Neal in opposition thereto, and leave was granted counsel for the defendant in error to file a reply brief on or before Friday next.

386. The State of Minnesota ex rel Julmer M. Larsen, Plaintiff in Error, vs. Hugh R. Scott, Auditor &c.

Mr. Carl Grover, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

399. Isaac A. Manour, Appellant, vs. The United States

Mr. Walter S. Penfield, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

390. The United States, Plaintiff in Error, vs. Gustav E. Kissel et al.

On motion of Mr. William C. Colvin, of counsel for the defendants in error, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Thursday, November 10, 1910.

709. William D'Alton Mann et al., Petitioners, vs. Samuel Dempster.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Albert A. Wray in support of the same, and Mr. Charles O. Maas and Mr. James A. Wakefield in opposition thereto.

Ex parte: In the matter of Patrick Lawler, Petitioner
Original.

Mr. Wilford H. Smith, of counsel for the petitioner, submitted to the consideration of the court a motion for leave to file a petition for a writ of mandamus herein.

378 W. S. Harlan et al., Appellants,
vs.
J. F. McGowin, United States Marshal, etc.

379 Robert Gallagher, Appellant,
vs.
J. F. McGowin, United States Marshal, etc.

Mr. W. W. Flournoy, of counsel for the appellants, submitted to the consideration of the court a motion to reassign these cases for hearing before a full bench, and also motions for writs of certiorari, which were opposed by Mr. Attorney General Wickersham, of counsel for the appellee. Whereupon, it is now here ordered by the court that said motions be, and the same are hereby, denied.

286 Louisville & Nashville Railroad Co., Plaintiff in Error,
vs.
N. P. Scott.

Mr. C. H. Moorman, of counsel for the plaintiff in error, submitted to the consideration of the court a motion to advance this case for hearing with case No. 215

190. The Buck's Stove & Range Co. vs. Appellant. The American Federation of Labor et al.

394 The American Federation of Labor et al., vs. Appellants, The Buck's Stove & Range Co.

372. Samuel Gompers et al., vs. Petitioners The Buck's Stove & Range Co.

On motion of Mr. Jackson A. Ralston, of counsel for The American Federation of Labor et al. It was ordered by the Court that these cases be, and the same are hereby, reassigned for argument on Monday, January 16, 1911, after the case heretofore assigned for that day.

614. The Sac and Fox Indians of the Mississippi in Iowa, vs. Appellants, The Sac and Fox Indians of the Mississippi in Oklahoma

Mr. Barry Mohun, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

515. The United States, vs. Appellant, The Fidelity Trust Co. etc.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Barry Mohun Mr. A. R. Serven and Mr. Paul Fuller in support of the same

Mr. Barton Corneau in opposition thereto,
leave was granted counsel for the appelle
file a reply brief on or before Friday next.

694 Thomas B. Stuart et al.,
vs. Petitioners.
Union Pacific Railroad Co.

The petition
writ of certi
herein was
mitted to
sideration of the Court on printed argume
Mr. Louis F. Michener, Mr. Thomas B. Stua
and Mr. Joseph C. Helm in support of the
and Mr. Maxwell Evarts, Mr. N. A. Loom
Mr. Clayton C. Dorsey and Mr William
Hodges in opposition thereto.

694 Mary D. Grace
vs. Petitioner
Charles C. Burlingham
et al.

The petition fo
writ of certior
herein was su
ted to the cons
ation of the Co
on printed arguments by Mr. William J. G
Mr. Frederic C. Scofield and Mr. Theodore E
cock, in support of the same, and Mr. Charle
Stone, Mr. D. L. Ernst and Mr. D. K. Cobb in
position thereto.

453. In the matter of the petition
of N. N. Loring, Trustee.

Mr. William
Bradshaw, f
behalf of coun
submitted to the consideration of the Court
motion to advance this cause

500. George Peabody Wetmore, Appellant vs. Tennessee Copper Co. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. John A. Frantz, Mr. Howard Cornick and Mr. Martin Vogel in support of the same.

561 Salvatore L. Rocca vs. Plaintiff in Error. George F. Thompson Mr. Samuel T. Fisher, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

698. Arthur P. Heinze, Petitioner, vs. The United States The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. John Mason Brown in support of the same, and leave was granted counsel for the respondents to file a brief in opposition thereto within one week

231. James H. Holt, Plaintiff in Error, vs. The United States On motion of Mr. Hugh M Caldwell, of counsel for the plaintiff in in error, leave is hereby granted to file in this case a certified copy of a

State of Oklahoma,
14 Original vs. Complainant.
The Atchison, Topeka &
Santa Fe Railway Co., et al

Island & Pacific Railway
Co., et al Defendants.

On motion of
Bill of Complaint
is hereby granted
file the demurr
the Chicago, Ro
Co., one of the de
herein.

J. Alexander Chiles,
158 of
O.T. 1910 vs. Plaintiff in Error,
Chesapeake & Ohio Railway Co.

Mr. J. Alexand
Chiles in pro
persona, subm
to the conside

of the Court a motion for leave to present a p
for rehearing in this cause

State of Oklahoma,
14 Original vs. Complainant.
The Atchison, Topeka &
Santa Fe Railway Co., et al.

& Co., American Express Co., and Pacific Expr
defendants herein.

On motion of
Charles W. Pie
leave is hereby
ed to file the d
ture of Wells, F

M. J. House,
597 vs. Plaintiff in Error,
Joel B. Mayes, Marshal &c. et al
Thomas J. Brodnax et al.,
598. vs. Plaintiffs in Error,
The State of Missouri

Mr. Frank A
man, of coun
for the plaint
in error, subm
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tion to advan

these cases

John A. Knott et al., &c., et al.,
326. vs. Appellants,
Chicago, Burlington & Quincy Railroad Co.
Chicago, Burlington & Quincy Railroad Co.
331 vs. Appellant,
John A. Knott, etc., et al.

The motion to reassign for hearing these cases before a full bench was submitted to the consideration of the Court by Mr. Frank Hagerman, of counsel for the Railroad company, and opposed by Mr. Elliott W. Mayo, of counsel for Knott et al. Whereupon, it is now here ordered by the Court that said motion be, and the same is hereby, denied

The Baltimore & Ohio Railroad Co.,
395. vs. Petitioner,
Edward Winters

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. George E. Hamilton and Mr. F. A. Durban in support of the same.

Stuart Lindsley
260. vs. Appellant,
Natural Carbonic Gas Co. et al.

Mr. John Spalding Flannery, in behalf of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

The State of Oklahoma,
13, Original vs. Complainant,
The Atchison, Topeka &
Santa Fe Railway Co.
The State of Oklahoma,
14, Original vs. Complainant,
The Atchison, Topeka &
Santa Fe Railway Co. et al.

On motion of
Evans Brown
behalf of counse
is hereby gran
file the demurr
The Atchison, To
Santa Fe Railw
et al.

The United States,
671. vs. Plaintiff in Error,
Fritz Augustus Heinze

On motion of
Evans Browne
behalf of counse
is ordered by t
Court that this cause be and the same is he
advanced for argument with case No. 380
case.

The Rosario Mining &
Milling Co.,
632. vs. Petitioner
Charles W. Clark.

The petition fora
of certiorari here
was submitted
consideration of
Court on printed
guments by Mr. John A. Goodrich in support
the same, and Mr. Walter M. Bierfond in oppo
tion thereto.

The State of Oklahoma,
14, Original. vs. Complainant,
The Atchison, Topeka &
Santa Fe Railway Co. et al

On motion of M
& C. Calhoun le
is hereby grante
file the demurre
The St. Louis & S

Francisco Railroad Co., one of the defendants herein

326 John A. Knott et al., &c. et al., vs. Appellants, Chicago, Burlington & Quincy Railroad Co. Chicago, Burlington & Quincy Railroad Co. 334. vs. Appellant. John A. Knott et al., &c. et al.

On motion of Mr. Jared Howe, leave is hereby granted him to file a brief herein as amicus curiae.

94. Box Elder Power & Light Co., vs. Plaintiff in Error, Brigham City.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William H. King and Mr. Edward B. Critchlow in support of the same, and Mr. Charles C. Dey and Mr. Hiram E. Booth in opposition thereto.

722. Jane M. White et al., vs. Plaintiffs in Error, The Connecticut General Life Insurance Co.

Mr. John Ridout, of counsel for the defendant in error, having filed in open court the following certificate, to-wit:

"Court of Appeals of the District of Columbia

I, Henry W. Hodges, Clerk of the Court of Appeals of the District of Columbia, do hereby certify that

wherein James M. White, Charles White, Jun
and Jennie W. Fugitt, Executors of Charle
deceased, were appellants, and The Conne
General Life Insurance Company was appe
a final judgment was rendered by said C
of Appeals on the fourteenth day of Februa
1910, in favor of the said appellee, and aga
the said appellants, and that on the 27
of May, A. D. 1910, said appellants sued ou
writ of error to said Court of Appeals, dire
remove said cause to the Supreme Court of t
United States.

In testimony whereof, I he
subscribe my name and
the seal of said Court of A
at the City of Washington
1st day of July, A. D. 1910

Seal

Henry W. Hodge
Clerk

moved the Court to docket and dismiss th
cause pursuant to the 9th rule. And it app
ing to the Court that the plaintiffs in error
failed to have their cause filed and docketed
conformity with the rules of this Court, It w
fore, ordered and adjudged by this Court
the writ of error in this cause to the Court o
peals of the District of Columbia, be, and th
same is hereby, docketed and dismissed with
and that this cause be, and the same is hereb
manded to the said Court of Appeals to be pro
in accordance to law and justice. On Mo

445. Ashton & Shullenberger, Governor, etc., et al., vs. Appellants, The First State Bank of Holstein, et al.

Mr. John Lee Webster, of counsel for the appellees, submitted to the consideration of the Court a motion to advance this case for hearing with case No. 71.

617. Assaria State Bank of Assaria, et al., vs. Appellants, Joseph N. Dolley, Bank Commissioner, etc., et al.

Mr. John Lee Webster, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause for hearing with case No. 71.

652. Abilene National Bank et al., vs. Petitioners. Joseph N. Dolley, Bank Commissioner, et al,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John Lee Webster, Mr. Chester I. Long, Mr. B. A. Waggener and Mr. John W. Gleed in support of the same, and Mr. F. S. Jackson in opposition thereto. Mr. John Lee Webster also submitted to the consideration of the Court a motion to advance this cause for argument with case No. 71, if the writ of certiorari should be granted.

326.	John A. Knott et al &c., et al., vs. Appellants, Chicago, Burlington & Quincy Railroad Co	On motion of Mr. W. T. Thompson, leave is hereby granted him to file a brief herein as amicus curiae.
334.	Chicago, Burlington & Quincy Railroad Co., vs. Appellant John A. Knott et al &c., et al.	

137.

60.	Ramon Valdes y Cobian vs. Appellant, Laurence A. Grahame, as Commissioner of the Interior of Porto Rico.	Appeal from the District Court of the United States for Porto Rico.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan.

1111.

97.	Mary E. Cartwright. vs. Plaintiff in Error. J. M. Holcomb, Administrator of the Estate of D. J. Spencer, deceased, et al.	In Error to the Supreme Court of the State of Oklahoma.

It appearing to the Court that a writ

for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Harlan.

Laurel Oil & Gas Co., Appellant, vs. Galbreath Oil & Gas Co. — Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Harlan.

The Jackson Lumber Co., Appellant, vs. Charles F. Turner, Tax Collector of Walton County, Florida, et al. — Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

It appearing to the Court that the authority of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said authority, it is now here ordered, adjudged,

and the same is hereby, dismissed with costs.

per Mr. Justice Harlan

The Jackson Lumber Co.,		Appeal from the
1165	vs. Appellant,	United States Circuit
Charles F. Turner, Tax		Court of Appeals for
Collector of Walton County,		the Fifth Circuit.
Florida, et al.		

It appearing to the Court that the authority of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said authority, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Harlan.

Portland Railway, Light		Appeal from the
& Power Co., et al.,		Circuit Court of the
176	vs. Appellants,	United States for
The City of Portland et al.		the District of

Oregon.

It appearing to the Court that a motion by counsel for the appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Harlan

198. Southern States Land & Timber Co. vs. Albert W. Gilchrist, Governor of the State of Florida, et al., as The Board of Drainage Commissioners under the laws of the State of Florida, et al. — Appellant. — Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, and adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed each party paying its and their own costs.

per Mr. Justice Harlan.

199. Florida Land & Timber Co., vs. Albert W. Gilchrist, Governor of the State of Florida, et al., as The Board of Drainage Commissioners under the laws of the State of Florida et al. — Appellant, — Appeal from the United States Circuit Court of Appeals for the Fifth Circuit

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, ad

appeal be, and the same is hereby, dism
each party paying its and their own co
per Mr. Justice Har

200. Consolidated Land Co., Appellant, vs. Albert W. Gilchrist, Governor of the State of Florida, et al., as The Board of Drainage Commissioners under the laws of the State of Florida, et al. Appeal from United State Circuit Court Appeals for Fifth Circu

It appearing to the Court that a stipulation
counsel for the respective parties to dismiss
appeal has been filed, Therefore, in pursua
of said stipulation, It is now here ordered,
judged and decreed by this Court that the
appeal be, and the same is hereby, dismis
each party paying its and their own cos
per Mr. Justice Ha

201. Empire Land Co., Appellant, vs. Albert W. Gilchrist, Governor of the State of Florida, et al., as The Board of Drainage Commissioners under the laws of the State of Florida, et al. Appeal from t United State Circuit Court Appeals for th Fifth Circuit.

It appearing to the Court that a stipulation
counsel for the respective parties to dismiss

this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed each party paying its and their own costs.

per Mr. Justice Harlan.

The Model Land Co. Appellant.
vs.
202. Albert W. Gilchrist, Governor of the State of Florida, et al, as The Board of Drainage Commissioners under the laws of the State of Florida, et al.

Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, each party paying its and their own costs.

per Mr. Justice Harlan

Florida East Coast Railway Co., Appellant,
vs.
Albert W. Gilchrist, Governor of the State of Florida, et al., as The Board of Drainage Commissioners under the laws of the State of Florida, et al.

203

Appeal from the United States Circuit Court of Appeals for the Circuit.

It appearing to the Court that a stipulation counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed, each party paying its and their own costs.

Per Mr. Justice Ha

St. Benedicte Abbey, a Corporation, Plaintiff in Error,
vs.
Marion County, Oregon, et al.

246

In Error to the Supreme Court of the State of Ore

It appearing to the Court that a motion by for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it be now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice

Louisiana Navigation Co., Limited,
518. vs. Plaintiff in Error,
Oyster Commission of Louisiana et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. Walter Guion in support of the same, and Mr. J. C. Gilmore in opposition thereto.

Frank N. Hoffstot,
567 vs. Appellant,
Bernard A. Flood, Detective, etc.

The motions to dismiss or affirm or to advance this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. W. A. Blakeley, Mr. Charles S. Whitman, Mr. Warren I. Seymour, Mr. George Gordon Baile, and Mr. A. Snowden Marshall in support of the same, and Mr. Adrian H. Joline, Mr. John D. Lindsay and Mr. Adrian H. Larkin in opposition thereto.

The United States,
380. vs. Plaintiff in Error,
Fritz Augustine Heinze

Mr. Evans Browne, in behalf of counsel submitted to the consideration of the Court a motion to pass this cause.

Ex parte: In the matter of The Metropolitan Trust Co. of the City of New York, Petitioner. 12 Original

This cause was argued by Mr. Tompkins McIlvaine, of counsel for the petitioner, and Mr. J. Aspinwall Hodge, of counsel for the respondent.

U. S. Harlan et al., Appellants, vs. T. F. McGowin, United States Marshal, etc. 375

Robert Gallagher, Appellant, vs. T. F. McGowin, United States Marshal, etc. 376

The argument of these cases was commenced by Mr. W. H. Flournoy, of counsel for the appellants, and continued by Mr. Assistant Attorney General Harr, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Wednesday, October 12, 1910.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable John M. Harlan
Edward D. White
Joseph McKenna Associate
Oliver Wendell Holmes Justices
William R. Day
Horace H. Lurton
Charles E. Hughes.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Isaac Franklin Russell, it is ordered by the Court that Caroline Harriet Smith, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

586 State of Minnesota ex rel. Palmer M. Larsen, Plaintiff in Error, vs. Hugh R. Scott, Auditor, &c.

On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby denied.

Louisville & Nashville Railroad Co.
vs. Plaintiff in Error.
N. P. Scott.

236.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument with case No. 215, as one case.

per Mr. Justice Harlan

Melville D. Heney et al.,
vs. Appellants,
Charles A. Merillat and Mason N. Richardson, Trustees.

724.

Mr. Mason N. Richardson, of counsel for the appellees, having filed in open court the following certificate, to-wit:

"Court of Appeals of the District of Columbia

I, Henry W. Hodges, Clerk of the Court of Appeals of the District of Columbia, do hereby certify that in a certain cause pending in said Court, wherein Charles A. Merillat and Mason N. Richardson, Trustees, were appellants and Melville D. Heney, Lymon D. Landon, Helen M. Soule, Annie Holmes, Charles W. Stevens, Susie V. Kimberly, and Leonard A. Dyer were appellees, case No. 2046, a final decree was rendered by said Court of Appeals on the 1st day of February, A. D. 1910, in favor of the said appellants, and against the said appellees, and that on the 11th

prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Court of Appeals at the City of Washington, this 23d day of September, A.D. 1910.

Seal

Henry W. Hodges,
Clerk.

moved the Court to docket and dismiss this cause pursuant to the 6th rule. And it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now hereordered, adjudged and decreed by this Court that this appeal from the Court of Appeals of the District of Columbia, be and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals to be proceeded in according to law and justice.

Per Mr. Justice Harlan

378 W.S. Harlan et al., Appellants, vs. J.F. McGowin, U.S. Marshal &c.

379 Robert Gallagher, Appellant, vs. J.F. McGowin, U.S. Marshal, &c.

The argument of these cases was continued by Mr. Assistant Attorney General Harr, of counsel for the

concluded by Mr. W. W. Flournoy, of counsel for the appellants, and leave was granted counsel on both sides to file additional briefs on or before Friday next.

326. John A. Knott et al &c. et al. vs Appellants. Chicago, Burlington & Quincy Railroad Co.

334 Chicago, Burlington & Quincy Railroad Co., vs Appellant John A. Knott et al &c., et al

On motion of Mr. Elliott W. Mayo, of counsel for Knott et al., It is ordered by the Court that one hour additional time be allowed each side for the argument of these cases and that three counsel be allowed to argue the cases for each side. The argument of these cases was commenced by Mr. Frank Hagerman, of counsel for the Railroad Company, and continued by Mr Sanford B. Ladd, of counsel for Knott et al

Proclamation being made, the Court is adjourned

Thursday, October 13th, 1910

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that William J. Hand, Esquire, of Scranton, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Kratz, Jr., it is ordered that Courtenay Crocker, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

380. The United States, Plaintiff in Error, vs. Fritz Augustus Heinze

On consideration of the motion to pass this cause. It is now here ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, the 31st instant.

per Mr. Justice Harlan

326 John A. Knott et al., &c. et al., Appellants, vs. Chicago, Burlington & Quincy Railroad Co.

334 Chicago, Burlington & Quincy Railroad Co., Appellant, vs. John A. Knott et al., &c., et al

The argument of these cases was continued by Mr. Sanford B. Ladd, of counsel for Knott et al.; M. O. M. Spencer, of counsel for the Railroad Company; Mr. Elliott W. Major and Mr. F. W. Lehmann of counsel for Knott et al., and concluded by Mr. Frank Hagerman, of counsel for the Railroad Company.

231. James A. Holt, Plaintiff in Error, vs. The United States.

The argument of this cause was commenced by Mr. Hugh M. Caldwell, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H Lurton
Charles E. Hughes
} Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr James H. Hayden, it is ordered that Martin Travieso, Jr., Esquire, of San Juan, Porto Rico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

231. James H. Holt, Plaintiff in Error, vs. The United States

The argument of this cause was continued by Mr. Hugh M. Caldwell, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Fowler, of counsel for the defendant in error, and concluded by Mr. Hugh M. Caldwell, of counsel for the plaintiff in error.

No. 230.	American Land Co. vs. Louis Zeiss & American Land Co.	The argument of this cause was commenced by Mr. C. Irving Wright, of counsel for the Ame.

(Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Charles W. Logan, Esquire, of Pineville, State of Kentucky, and Edward H. Letchworth, Esquire, of Buffalo, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Dick Faust, it is ordered that F. B. Dawes, Esquire, of Clay Center, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Walter Bennett, it is ordered that Thomas Armstrong, Jr., Esquire, of Phoenix, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Anthony J. Rocci, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Spalding Flannery, it is ordered that Harold Harper, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Boyd B. Jones, it is ordered that George L. Wilson, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. D. B. Henderson, it is ordered that George E. Shaw and Samuel McClay, Esquires, of

to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry F. Lerch, it is ordered that Fred W. Weitzel, Esquire, of Ludlow, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States, Appellant,
vs.
The Chicago, Milwaukee & St. Paul Railway Co.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that it is further ordered that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Iowa.

per Mr. Justice Harlan.

No. 158 J. Alexander Chiles, Plaintiff in Error,
O.T. 1909 Chesapeake & Ohio Railway Co.

On consideration of the motion for leave to present petition for re-hearing in this cause, It is now here ordered by the Court that said motion be, and the same hereby, denied.

per Mr. Justice Harlan

Ex parte: In the matter of Patrick Saucer, Original Petitioner.

On consideration the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Harlan

No. 15 Original Ex parte: In the matter of the Eastern Cherokee Petitioners

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same hereby, granted.

per Mr. Justice Harlan

No. 15 Original Ex parte: In the matter of the Eastern Cherokee Petitioners.

On consideration the petition of the Eastern Cherokees herein, It is now ordered by the Court that

Court of Claims and the Judges thereof before this Court, at the City of Washington, on Monday, December 5, 1910, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

per Mr. Justice Harlan

453 In the matter of the petition of H. H. Loving, Trustee. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Harlan

599. Isaac A. Mansour, Appellant, vs. The United States — On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Harlan

260. Stuart Lindeley, Appellant, vs. Natural Carbonic Gas Co., et al. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, November 28th

per Mr. Justice [illegible]

561. Salvatore L. Rocca, vs. Plaintiff in Error, George F. Thompson

On consideration the motion in this cause, It is here ordered by the court that said motion be, and the same is hereby granted, and the cause assigned for argument on Monday, December 5th, 1910, after the causes heretofore assigned for that day.

per Mr. Justice Ho

597. R. J. Horsee, vs. Plaintiff in Error, Joel B. Mayes, Marshal, &c. et al

Thomas L. Brodnax et al., vs. Plaintiffs in Error, The State of Missouri

On consideration the motion to advance these ca It is now here by the court that said motion be and the same is hereby granted, and the cause assigned for argument on Monday, De 5th, 1910, after the causes heretofore assigned that day.

per Mr. Justice Ho

614. The Sac and Fox Indians of the Mississippi in Iowa, vs. Appellants, The Sac and Fox Indians of the Mississippi in Oklahoma and the United States

On consider of the motion vance this ca It is now he ed by the C that said m be and the

argument on Monday, December 5th, 1910, after the cases heretofore assigned for that day.

per Mr. Justice Harlan

562. Bartlett Richards vs. The United States. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

563. Will H. Comstock vs. The United States. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

No. 564 — Charles C. Jameson, Petitioner vs. The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and the argument of counsel thereupon had, as well in support of as against the same, It is now hereby ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Justice Harlan

No. 565 — Aquilla Triplett, Petitioner, vs. The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now hereby ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

No. 579 — Lon D. Marre, Petitioner, vs. Idella Emrick

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition

writ herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

580. Jacob Gold, Petitioner vs. The South Side Trust Co., Trustee of the Estate of Frank Forchia, Bankrupt — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Justice Harlan

595. The Baltimore & Ohio Railroad Co., Petitioner vs. Edward Winters — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argu-

now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

The Rocario Mining & Milling Co., Petitioner
vs
Charles W. Clark.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

699. Mary D. Grace, Petitioner.
vs.
Charles C. Burlingham, Arthur K. Peck, and Albert W. Bonynge, Trustees in Bankruptcy of J. A. McFulipe & Co., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here

by the Court that said petition be, and the same is hereby, denied

per Mr. Justice Harlan.

709. William D. Helon Mann, and Town Topics Publishing Co., Petitioners vs. Samuel Dempster. On petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Justice Harlan.

733. Herbert S. Hadley et al., vs. Arthur L. Huidekoper Petitioners, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is here-

581.	Annie Lapina, Petitioner. vs. William Williams, Commissioner of Immigration.	On petition for certiorari to the States Circuit of Appeals for Second Circuit

On consideration of the petition for a writ of ri herein to the United States Circuit Cou Appeals for the Second Circuit, and of the of counsel thereupon had, as well in suppo against the same, It is now here ordered b Court that said petition be, and the same granted.

Per Mr. Justice H

694.	Thomas B. Stuart et al., Petitioners. vs. Union Pacific Railroad Co.	On petition for of certiorari to United States Court of Appea

the Eighth Circuit.

On consideration of the petition for a writ of rari herein to the United States Circuit Co Appeals for the Eighth Circuit, and of the ment of counsel thereupon had, as well in port of as against the same, It is now here by the Court that said petition be, and the be hereby, granted.

Per Mr. Justice Har

Box Elder Power & Light Co.,
94. vs. Plaintiff in Error,
Brigham City.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Justice Harlan

Margaret Kopp et al.,
572. vs. Appellants,
Maria Waters

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Justice Harlan

Louisiana Navigation Co., Limited
518. vs. Plaintiff in Error,
Oyster Commission of Louisiana et al

It is ordered by the Court that the further considera tion of the motion to dismiss or af. firm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Justice Harlan.

Seaboard Air Line Railway Co.,
578. vs. Plaintiff in Error,
Ernest N. Duvall.

It is ordered by the Court that the further consider

to dismiss or affirm in this cause be, and
same is hereby postponed until the hearing
the cause on the merits.

per Mr. Justice Harla

518 The United States, Appellant,
vs.
The Fidelity Trust Co., Executor and Trustee, &c.

It is ordered by the
Court that the furt
consideration of th
motion to dismiss
affirm in this cau
be, and the same is hereby postponed until
hearing of the cause on the merits.

per Mr. Justice Harl

567 Frank N. Hoffstot, Appellant,
vs.
Bernard A. Flood, a Detective of Police of the City of New York.

Appeal from the
cuit Court of the U
States for the South
District of New Yo

This cause came on to be heard on the transc
of the record from the Circuit Court of the Uni
States for the Southern District of New York, a
on motion to dismiss or affirm which was a
gued by counsel. On consideration whereof, I
now here ordered, adjudged and decreed by
this Court that the order of the said Circu
Court in this cause be, and the same is here
affirmed with costs. per Mr. Justice Harla
(Mr. Justice Hughes did not participate in the c
sideration or decision of this ca

735. The United States, Petitioner vs. Tiffany & Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Wickersham in support of the same, and Mr. Arthur M. King in opposition thereto, and leave was granted counsel on both sides to file additional briefs on or before Friday next.

583. Walter J. Gregory, Petitioner vs. The District of Columbia — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. S. Worthington in support of the same, and Mr. Edward A. Thomas and Mr. William Henry White in opposition thereto

588 William B. Kraft, Petitioner, vs. The District of Columbia — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Daniel W. Baker and Mr. Frank J. Hogan in support of the same, and Mr. Edward A. Thomas and Mr. William Henry White in opposition thereto—

703. Morris Engel, vs. Appellant. Edward R. O'Malley et al.

Mr. Charles D of counsel for a lant, submitte consideration court a motion to advance this cause.

719. The Wabash Railroad Co., et al., vs. Petitioners James Pollitz

The petition for of certiorari he was submitted consideration court on print guments by Mr. Lawrence Greer, Mr. Ruck T and Mr. F. C. Nicodemus, Jr., in support of and Mr. Stephen M. Yeaman and Mr. J. wall Hodge in opposition thereto.

710. Hattie L. Johnston, Administratrix &c., et al., vs. Petitioners, State Mutual Life Insurance Co.

The petition fo writ of certio herein was su to the consider of the Court by John G. Capers

support of the same.

677 The Maritime Insurance Co., Limited, vs. The M. S. Dollar Steamship Co. Petitioner

The petition for of certiorari her was submitted consideration Court by Mr. D

Denman in support of the same.

661. United Steamship Co. Claimant, &c., Petitioner vs. Societe Nouvelle d'Armement

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argumente by Mr. Charles Page, Mr. Edward J. McCutchen and Mr. Samuel Knight in support of the same, and Mr. William Denman in opposition thereto.

656. Seaboard Fire & Marine Insurance Co. Plaintiff in Error, vs. Gustave Montelone

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed argumente by Mr. Benjamin Rice Forman in support of the same, and Mr. Edgar H. Farrar in opposition thereto.

604. The Merrimack River Savings Bank, Appellant, vs. The City of Clay Center, Kansas, et al.

On motion of Mr. F. B. Dawes, of counsel for the appellees, It is ordered by the Court that this cause be, and the same is hereby, advanced pursuant to the 32d rule.

i 614. The Merrimack River Savings Bank, vs. Appellant, The City of Clay Center, Kansas, et al.

This cause was re to the consideratio the Court on the re and printed argum by Mr D. R. Hile, o sel for the appellan

Mr. F. B. Dawes and Mr. A. A. Godard, of C for the appellees:

i 688 William J. Pochin, vs. Appellant. The City and County of Denver, Colorado, et al.

On motion of Mr vey Riddell, of co for the appellant, ordered by the Co that this cause be the same is hereby, advanced pursuant to 32d rule.

688. William J. Pochin. vs. Appellant, The City and County of Denver, Colorado, et al.

This cause was mitted to the con eration of the Cou on the record and printed argumen

Mr. Harvey Riddell, of counsel for the appellant Mr. George L. Richmond and Mr. F. W. Saubor counsel for the appellees.

653 J. W. Green and Barnet Trimmer, Appellants, vs. Harvey A. Atherton, Trustee of the Estate of James W. Quillen, Bankrupt. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.

It appearing to the Court that a motion of counsel for appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Harlan

665. Delaware River Ferry Co., Owner of the Ferry Boat, "Ocean City", Appellant, vs. Jennie Amos. Appeal from the District Court of the United States for the Eastern District of Pennsylvania.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, Clerk's costs to be paid by the appellant.

per Mr. Justice Harlan

230. American Land Co. vs. Louis Zeiss. The argument of this cause was continued by Mr. Otto Kirchner Luden and Mr. Garret W. McEnerney, of counsel for Zeiss, and concluded by Mr. C. Irving Wright, of counsel for the American Land Co.

1111 The United States, Plaintiff in Error, vs. James T. Barber et al. The argument of this cause was commenced by Mr. Assistant Attorney General Fowler, of counsel for the plaintiff in error, and continued by Mr. C. T. Bundy, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

The United States,
vs. Plaintiff in Error,
James T. Barber et al.
444.

The argument of this cause was concluded by Mr. C. T. Bundy, of counsel for the defendants in error, and leave was granted counsel for the plaintiff in error to file an additional brief, and counsel for the defendants in error to file a reply thereto on or before the 24th instant.

The United States,
vs Plaintiff in Error,
Anaconda Brass & Copper Co, et al.
458

This cause was argued by Mr. L. L. Lewis, of counsel for the plaintiff in error, and Mr. Eppa Hunton

defendants in error, and leave was granted coun-
sel on both sides to file additional briefs on or
before the 22d instant.

510, 511 & 512 The United States, Plaintiff in Error, vs. Frank A. Mason.

The argument of these cases was commenced by Mr. Assistant Attorney General Fowler, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned
until tomorrow at ten o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes.
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John M. Coit, it is ordered that William K. White, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Jacob Mylburn Schoenfeld, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be

Charles M. Woodruff, Esquire, of Detroit, M
Michigan, be admitted to practice as an a
ney and counsellor of this Court, and he
sworn accordingly.

On motion first made to the Court in this
half by Mr. Alexander M. Garber, it is ord
that Thomas Wesley Martin, Esquire, of Mo
ery, State of Alabama, be admitted to practi
an attorney and counsellor of this Court, an
was sworn accordingly.

No 10
No 11 & No 12 — The United States, Plaintiff in Error, vs. Frank H. Mason

The argument of
cause was conclu
by Mr. Assistan
torney General
of counsel for the plaintiff in error, and concl
by Mr. Boyd B. Jones, of counsel for the defen
in error.

No 495 — J. Harvey Ladew et al., Appellants, vs. Tennessee Copper Co.

This cause was a
by Mr. Henry B.
of counsel for the
pellants, and M
John A. Frantz, of counsel for the appellee.

No 215 — Atlantic Coast Line Railroad Co., Plaintiff in Error, vs. Riverside Mills.

On motion of M
Charles Henry
ler, leave is hereb
granted to Mr. Je

and Mr. L. W. McCandless to file a printed brief herein as amici curiae

215. Atlantic Coast Line Railroad Co., vs. Plaintiff in Error, Riverside Mills

286 Louisville & Nashville Railroad Co., vs. Plaintiff in Error, N. P. Scott.

The argument of these cases was commenced by Mr. J. K. Lamar, of counsel for the plaintiff in error in No. 215, and continued by Mr Assistant to the Attorney General Kenyon, of counsel for The United States as amicus curiae, and Mr. C. A. Moorman, of counsel for the plaintiff in error in No. 286

Proclamation being made, the Court is adjourned

Thursday, October 20th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna — Associate
Oliver Wendell Holmes — Justices
William R. Day
Horace H. Lurton
Charles E. Hughes
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

215
256
300

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John A. Kratz, Jr., it is ordered that T. Seddon Taliaferro, Jr., Esquire, of Rock Springs, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Donald Barker, Esquire, of Los Angeles, State of California, and Hector H. Scoville, Esquire, of San Juan, Porto Rico, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Atlantic Coast Line Railroad Co., vs. Plaintiff in Error, Riverside Mills. Louisville & Nashville Railroad Co., vs. Plaintiff in Error, M. P. Scott.	The argument of these cases was concluded by Mr. C. H. Moorman, of counsel for the plaintiff in error, in No. 281.
Alonzo Bailey, vs. Plaintiff in Error, The State of Alabama.	The argument of this case was commenced by Mr Edward S Waite, of counsel for the plaintiff in error; continued by Mr. Thomas H. Martin and Mr Alexander M. Garber, of counsel for the defendant in error, and by Mr. Assistant Attorney General Harr for The United States as amicus curiae.

Proclamation being made the Court is adjourned

Friday, October 21st, 1910.

Pursuant to adjournment, the Court me
at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
Horace H. Lurton
Charles E. Hughes.
John M. Wright, Esquire, Ma
James H. McKenney, C

Proclamation being made, the Court is ope

On motion first made to the Court in this
by Mr. Edwin P. Grosvenor, it is ordered t
Samuel D. Matthews, Esquire, of New Y
and ~~William Logan Leake, Esquire, of the~~ Esquire, of t
State of New York, be admitted to practi
attorneys and counsellors of this Court
they were sworn accordingly.

Complement
see same min
Dec 11/9 & 12/388

On motion first made to the Court in thi
by Mr. Frederick A. Fenning, it is ordered
Livingston W. Cleaveland, Esquire, of New Ha
State of Connecticut, be admitted to practi
an attorney and counsellor of this Court,
was sworn accordingly.

84. Henry Schodde, vs. Petitioner. Twin Falls Land & Water Co.

Mr. Joseph R. Webster, of counsel for the petitioner, suggested the death of Henry Schodde, the petitioner herein, and moved the Court to make Minnie Schodde, executrix of the last will and testament of the said Henry Schodde the party petitioner in this cause. Whereupon, it is now here ordered by the Court that the said Minnie Schodde, Executrix of the last will and testament of the said Henry Schodde, deceased, be, and she is hereby, made the party petitioner in this cause.

9. J. B. Curtin, vs. Appellant, H. C. Benson et al.

On motion of Mr. Assistant Attorney General Harr, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

300. Alonzo Bailey vs. Plaintiff in Error, The State of Alabama.

The argument of this cause was concluded by Mr. Assistant Attorney General Harr, of counsel for the United States as amicus curiae.

358	William Dreier, Plaintiff in Error, vs. The United States	These cases were by Mr. W. Wirt Smith, of counse the plaintiff in appellant, and M sistant to the A General Kenyon sel for the defend
359	William Dreier, Appellant vs. William Henkel, United States Marshal,	
	error and appellee.	
415.	Ong Chang Wing et al., Plaintiffs in Error, vs. The United States.	This cause was by Mr. Charles saul, of counsel the plaintiffs in
	and Mr. Edwin P. Grosvenor, fendant in error.	of counsel for the
1.	Montezuma Canal Co. Appellant, vs. Smithville Canal Co., et al	The argument cause was com by Mr. Thoma Strong, Jr., of co
	for the appellant, and continued by Mr. Wa Bennett, of counsel for the appellee.	

Proclamation being made, the Court is adjour

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that Harold J. Pack, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

604. The Merrimack River Savings Bank, Appellant. vs. The City of Clay Center, Kansas, et al.

Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

argued by counsel. On consideration whe
is now here ordered, adjudged and decre
this Court that this appeal be, and the s
hereby, dismissed with costs.

Per Mr. Justice Hu

688 William J. Pochin, Appellant, vs. The City and County of Denver, Colorado, et al. Appeal from Circuit Cou United Stat District of C

This cause came on to be heard on the tr
of the record from the Circuit Court of the
States for the District of Colorado, and wa
by counsel. On consideration whereof, It
here ordered, adjudged and decreed by
Court that the decree of the said Circuit C
this cause be, and the same is hereby, af
with costs.

Per Mr. Justice Ha

1145 Ashton C. Shallenberger, Governor, etc., et al., vs. The First State Bank of Holstein, Nebraska, et al. Appellants. Security State Bank of Decatur et al., vs. Joseph N. Dolley, Bank Commissioner, et al. Appellants. 617

On consid
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advance th
cause for a
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the present
It is, now he
dered by th

be and the same are hereby granted, all the cases to be heard together as one case.

per Mr. Justice Harlan

703. Morris Engel, Appellant, vs. Edward R. O'Malley et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on Monday, December 5th next, after the cases heretofore assigned for that day.

per Mr. Justice Harlan

583. Walter J. Gregory, Petitioner, vs. The District of Columbia On petition for writ of certiorari to the Court of Appeals of the Dis of Columbia

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Justice Harlan

588 William B. Kraft, Petitioner, vs. The District of Columbia On petition for writ of certiorari to the Court of Appeals of the District of Columbia

tiorari herein to the Court of Appeals of the
of Columbia, and of the argument of counse
upon had, as well in support of as against
same, It is now here ordered by the Court th
said petition be and the same is hereby, den

per Mr. Justice Harla

Abilene National Bank, et al.,
vs. Petitioners,
Joseph N. Dolley, Bank Commissioner, et al

On petition for
certiorari to the
State Circuit C
of Appeals for th
Eighth Circuit

On consideration of the petition for a writ of ce
ri herein to the United States Circuit Court
Appeals for the Eighth Circuit, and of the a
ment of counsel thereupon had, as well in s
port of as against the same, It is now here
by the Court that said petition be, and the s
is hereby, denied.

per Mr. Justice Harla

Abilene National Bank, et al.,
vs. Petitioners.
Joseph N. Dolley, Bank Commissioner, et al.

On considerati
the motion to
vance this ca
It is now here
by the Court tha
said motion be

the same is hereby, denied

per Mr. Justice Harl

661. United Steamship Co., Claimant of the American Steamer "Santa Rita" etc., vs. Societe Nouvelle d'Armument, (a Corporation of the Republic of France) Petitioner

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby denied.

per Mr. Justice Harlan

697. The Maritime Insurance Co., Limited, vs. The M. S. Dollar Steamship Company. Petitioner

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

Hallie L. Johnston, Administratrix, and A. R. Johnston, Administrator of Joseph P. Johnston, deceased vs. State Mutual Life Insurance Co. — Petitioners.

On petition for certiorari to the United State Circuit Court of Appeals for the Fourth Circuit.

Fil

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now ordered by the Court that said petition for the same is hereby denied.

per Mr. Justice Harla

698 Arthur P. Heinze. vs. The United States. — Petitioner.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Ha

656 Seaboard Fire & Marine Insurance Co., vs. Plaintiff in Error
Gustave Montelione

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Justice Harlan

14. Winslow Hart Reaves, Second Lieutenant, &c., vs. Plaintiff in Error,
Frederick C. Ainsworth, Major General, etc., et al.

On motion of Mr. Attorney General Wickersham, of counsel for the defendants in error, It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of section 9, rule 26.

172. The Colorado & Southern Railway Co., vs. Plaintiff in Error,
The United States.

In Error to the District Court of the United States for the District of Colorado.

This cause having been called to the attention of the Court by Mr. Attorney General Wickersham, who presented a motion of the plaintiff in error to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is

Monday, October 24th. 1910. con

330 David Muxrat et al., Appellants.
vs.
The United States

Mr. Attorney
Wickersham
sel for the ap
submitted to
sideration of the Court a motion to advan
case for hearing with cases Nos. 60 and

Julio Bustoe,
vs. Plaintiff in Error
The United States.

Mr. Attorne
Wickersham
sel for the de
in error, hav

in open court the following certificate, to-w

"The United States of America
In the Supreme Court of the Philippines

I, J. E. Blanco, clerk of the Supreme
of the Philippine Islands, do hereby certify
a certain cause pending in the said Court
the United States was plaintiff and appelle
Julio Bustoe was defendant and appellan
final judgment was rendered by said C
Court on the thirteenth day of February,
in favor of the said United States and ag
the said Julio Bustoe, and that on the n
day of February, A. D. 1909, the said Julio B
sued out a writ of error to said Supreme C
directed to remove said cause to the Supr
Court of the United States.

In testimony whereof, I
subscribe my name and
the seal of said Supreme
at Manila, P. I. this

day of April A. D. 1909.

(Seal.)

J. E. Blanco.
Clerk of the Supreme Court of
the Philippine Islands."

moved the Court to docket and dismiss this cause pursuant to the 6th rule. And it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice

Per Mr. Justice Harlan

740 Julio Bustos,
vs. Plaintiff in Error,
The United States

On motion of Mr. Attorney General Wickersham, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

725 Charles West, Attorney General, et al.
vs. Petitioners,
Atchison, Topeka & Santa Fe Ry Co.

726 Charles West, Attorney General, et al.
vs. Petitioners
Unif. Colorado & Santa Fe Ry Co.

727 Charles West Attorney General, et al.,
vs Petitioners
Missouri, Kansas & Texas Ry Co

728. Charles West, Attorney General, et al.
vs. Petitioners
Midland Valley Railroad Co.

729. Charles West, Attorney General, et al.
vs. Petitioners
The Kansas City Southern Ry Co

730 Charles West, Attorney General, et al.,
vs. Petitioners
The Chicago, Rock Island & Pacific Ry Co.

731 Charles West, Attorney General, et al.
vs. Petitioners,
St Louis & San Francisco Railroad Co

The petition
writs of cer
herein was
mitted to
consideration
the Court
presented a
by Mr. F. M
and Mr. C
West in sup
of the sam
Mr. Robert
and Mr. F
Hagerman
opposition

719 William Hendrix,
vs. Plaintiff in Error,
The United States.

Mr. Joseph W.
Lef. in behalf
counsel for th
plaintiff in e

submitted to the consideration of the Court
motion to advance this cause

739. James Dwyer et al., Petitioners, vs. J. Ludwig Mowinckel

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles K. Hixon and Mr. J. Parker Kirlin in support of the same.

1. Montezuma Canal Co., Appellant, vs. Smithville Canal Co., et al

The argument of this cause was concluded by Mr. Walter Bennett, of counsel for the appellees.

541. The United States, Plaintiff in Error, vs. Press Publishing Co.

This cause was argued by Mr. J. C. McReynolds, of counsel for the plaintiff in error, and Mr. DeLancey Nicoll, of counsel for the defendant in error.

2. Lucino Almeida Chaulunges, et al., Plaintiffs in Error, vs. Eduardo Abaroa.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. A. B. Browne, Mr. Alexander Britton, Mr. Evans Browne, and Mr. W. A. Kincaid, of counsel for the plaintiffs in error. No brief was filed by counsel for defendant in error.

International Text Book Co.,
vs. Plaintiff in Error
Carl Peterson.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr D. C. Harrington, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

Rickey Land & Cattle Co.,
vs. Petitioner.
Miller & Lux.

Rickey Land & Cattle Co.,
vs. Petitioner
Henry Wood et al.

The re argument of these cases was commenced by Mr. James F. Peck, of counsel for the petitioner

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that J. E. Horan, Esquire, of Everett, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Hall, it is ordered that George Hall, Esquire, of Trenton, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

365

San Antonio & Aransas Pass Railway Co.
vs. Plaintiff in Error.
The State of Texas

In Error to th
of Civil Appe
the Third Su
Judicial Dis
the State of T

It appearing to the Court that a motio
counsel for the plaintiff in error to dism
this cause has been filed, Therefore, in p
of said motion, it is now here ordered a
adjudged by this Court that the writ o
in this cause be, and the same is hereby,
with costs.

Per Mr. Justice Ha

14

Cincinnati, Indianapolis & Western Railway Co.,
vs. Plaintiff in Error.
City of Commersville

The cause w
mitted to the
eration of the
on the record
printed argu

by Mr. John B. Elam, of counsel for the pla
in error, and Mr. Richard N. Elliott and
Charles F. Jones, of counsel for the defend
error)

4
5

Rickey Land & Cattle Co.
vs. Petitioner.
Miller & Lux.

Rickey Land & Cattle Co.
vs. Petitioner
Henry Wood et al.

The re-argument
cause was contin
by Mr. James F.
of counsel for the
er, and conclude
Mr E. F. Treadwel
counsel for the re

6. Robert Earl Kerfoot,
vs. Plaintiff in Error.
The Farmers & Merchants Bank et al.

The argument of this cause was commenced by Mr. Homer Hall of counsel for the plaintiff in error; continued by Mr. Thomas J. Beall, of counsel for the defendants in error, and concluded by Mr. George Hall, of counsel for the plaintiff in error.

13. Robert A. Hooe et al.,
vs. Appellants.
The United States.

The argument of this cause was commenced by Mr. L. T. Michener, of counsel for the appellants.

Proclamation being made, the Court is adjourned

Wednesday, October 26th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes.
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles J. Kappler, it is ordered that Eugene L. Graves, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Pride, it is ordered that Antonio M. Opisso, Esquire, of Manila, Philippine Islands, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

13. Robert A. Hooe et al., Appellants, vs. The United States. The argument of this cause was continued by Mr. L. T. Michener, of counsel for the appellants, and Mr. Assistant Attorney General John L. Thompson of counsel for the appellee, and concluded by Mr. L. T. Michener of counsel for the appellants.

15. Western Union Telegraph Co., Plaintiff in Error, vs. Commercial Milling Co. The argument of this cause was commenced by Mr. Rush Taggart, of counsel for the plaintiff in error; continued by Mr Ralph B. Wilkinson, of counsel for the defendant in error, and concluded by Mr. C. D. Joslyn, of counsel for the plaintiff in error.

16. Illinois Central Railroad Co., Plaintiff in Error, vs. Commonwealth of Kentucky. The argument of this cause was commenced by Mr. Edmund F. Trabue, of counsel for the plaintiff in error, and continued by Mr. T. L. Edelen, of counsel for the defendant in error.

Proclamation being made the Court is adjourned

Thursday, October 27th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices

John M. Wright, Esquire, Marshal
James H. McKinney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Everett Dufour, it is ordered that Calvin S. Mauk, Esquire, of Van Wert, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

No. Illinois Central Railroad Co., Plaintiff in Error, vs Commonwealth of Kentucky. The argument of this cause was continued by Mr. J. L. Edelen, of counsel for the defendant in error, and concluded by Mr. Blewett Lee, of counsel for the plaintiff in error.

17. Jessie E. Thompson, Plaintiff in Error, vs. Charles N. Thompson. This cause was argued by Mr. William M. Lewin, of counsel for the plaintiff in error and submitted on a printed argument by Mr. A. E. L. Leckie, Mr. Creed M. Fulton, Mr. Joseph W. Cox and Mr. John A. Kratz, Jr., of counsel for the defendant in error.

18 Lehigh Valley Railroad Co., Appellant, vs. Cornell Steamboat Co., Claimant, &c. This cause was argued by Mr. W. S. Montgomery, of counsel for the appellant, and Mr. Parker Kirlin, of counsel for the appellee.

20 Ling Su Fan, Plaintiff in Error, vs. The United States. This cause was argued by Mr. J. M. Vale, of counsel for the plaintiff in error and Mr. Assistant Attorney General Fowler, of counsel for the defendant in error.

21 The Moore Printing Typewriter Co., et al., Appellants, vs. The National Savings & Trust Co., et al. The argument of this cause was commenced by Mr. Charles A. Reig wine, of counsel for the appellants.

Proclamation being made the Court is adjourned

Friday, October 28th. 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James A. Fowler, it is ordered that James Maynard, Jr., Esquire of Knoxville, and John W. Clifton, Esquire, of Nashville, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred P. Thom, it is ordered that Alexander Pope Humphrey, Jr., Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David W. Baird, it is ordered that James F. Fairleigh, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he he was sworn accordingly.

21. The Moore Printing Typewriter Co., et al., vs. Appellants, The National Savings & Trust Co., et al

The argument of this cause was continued by Mr. Charles A. Keigwin, of counsel for the appellants, and Mr. J. J. Darlington and Mr. J. J. Crawford of counsel for the appellees, and concluded by Mr. Charles A. Keigwin, of counsel for the appellants

22. The Kentucky Union Co., vs. Plaintiff in Error, The Commonwealth of Kentucky.

The argument of this cause was commenced by Mr. Louis B. Wehle, of counsel for the plaintiff in error, and continued by Mr. J. W. M. Stewart and Mr. Z. T. Vinson, of counsel for the defendant in error

Proclamation being made, the Court is adjourned

Monday, October 31st, 1910

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Associate Justices
John M. Wright Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Samuel W. Williams, it is ordered that E. Beverly Slater, Esquire, of Toano, J. T. McAllister, Esquire, of Hot Springs, State of Virginia, and Arthur Lord, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Warren C. Philbrook, it is ordered that Herbert E. Holmes, Esquire, of Lewiston, State of Maine, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. William B. Jaynes, it is ordered that Robert D. Willing, Esquire, of Jackson, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Daish, it is ordered that Oliver A. Phelps, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Karl P. Webber, it is ordered that Ferdinand L. Burnett, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Prentice, it is ordered that Elmer E. Studley, Esquire, of Raton, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. T. Michener, it is ordered that

of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

A. Guion Jennings, Plaintiff in Error, vs. Philadelphia, Baltimore & Washington Railway Co. — In Error to the Court of Appeals of the District of Columbia.

10.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

James H. Holt, Plaintiff in Error, vs. The United States — In Error to the Circuit Court of the United States for the Western District of Washington

231.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is

314. William Hendrix, Plaintiff in Error, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, November 28th next, after the cause already assigned for that day.

per Mr. Justice Harlan.

330. David Mustrat and J. Henry Dick, etc., Appellants, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument after cause Nos. 60 and 331.

per Mr. Justice Harlan.

735 The United States, Petitioner, vs. Tiffany & Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Charles West, Attorney General, and J. E. Love, A. P. Watson, and J. J. McAlester, Members of the Corporation Commission of the State of Oklahoma, Petitioners vs. The Atchison, Topeka & Santa Fe Railway Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

728.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied

per Mr. Justice Harlan.

Charles West, Attorney General, and J. E. Love, A. P. Watson and J. J. McAlester, Members of the Corporation Commission of the State of Oklahoma, Petitioners vs. Guef, Colorado & Santa Fe Railway Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

726

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in sup-

dered by the Court that said petition be and the same is hereby, denied.

per Mr. Justice Harlan

727. Charles West, Attorney General and J. E. Love, A. P. Watson and J. J. McAlester, Members of the Corporation Commission of the State of Oklahoma, Petitioners, vs. Missouri, Kansas & Texas Railway Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Justice Harlan

728. Charles West Attorney General, and J. E. Love, A. P. Watson and J. J. McAlester, Members of the Corporation Commission of the State of Oklahoma, Petitioners, vs. Midland Valley Railroad Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certio-

Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

per Mr. Justice Harlan

Charles West, Attorney General, and J. E. Love, A. P. Watson and J. J. McAlester, Members of the Corporation Commission of the State of Oklahoma, Petitioners vs. The Kansas City Southern Railway Co. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

729

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

per Mr. Justice Harlan

730. Charles West, Attorney General, and J. E. Love, A. P. Watson and J. J. McAlester, Members of the Corporation Commission of the State of Oklahoma, Petitioners, vs. The Chicago, Rock Island & Pacific Railway Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the the Court that said petition be, and the same is hereby, denied

per Mr. Justice Harlan.

731. Charles West, Attorney General, and J. E. Love, A. P. Watson and J. J. McAlester, Members of the Corporation Commission of the State of Oklahoma, Petitioners vs. The St. Louis & San Francisco Railroad Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the a-

support of or against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

739 James Dewar, John McLaren, Ernest Gripper, and William Webb, doing business as co-partners under the firm-name and style of Dewar & Webb, et al., Petitioners. vs. J. Ludwig Mowinckel.

On petition for writ of certiorari to the United States circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

744 Stuart Wood, Petitioner vs. Ballard Preston Browning et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. C. W. Campbell, Mr. William A. Glasgow, Jr., and Mr. Malcolm Jackson in support of the same.

745 The Union Ferry Co. of New York and Brooklyn, claimant, etc., Petitioner, vs. The New York, New Haven & Hartford Railroad Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. DeLancey Nicoll and Mr. James J. Macklin in support of the same, and Mr. William Greenough in opposition thereto.

553. Commercial State Bank & Trust Co., Plaintiff in Error, vs. J. L. Bates, Trustee — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. P. Willing and Mr. W. R. Harper in support of the same, and Mr. Marcellus Green in opposition thereto.

741 Norfolk & Western Railway Co., Plaintiff in Error, vs. D. E. Earnest. — The motion to advance this cause was submitted to the consideration of the Court on printed arguments by Mr. Harold J. Pack in support of the same, and Mr. Theodore W. Reath in opposition thereto.

The State of Oklahoma; Complainant
14, Original vs.
The Atchison, Topeka & Santa Fe Railway Co., et al.

On motion of Mr Evans Browne, on behalf of counsel, leave is hereby granted to file the demurrer of the defendant, The Fort Smith & Western Railroad Company.

D. W. Dinsmore,
746 vs. Appellant,
Stephen B. Wood and Albert Sartain, agent of the State of Ohio.

Mr. Karl T. Webber, of counsel for the appellee, having filed in open court, the following certificate to wit:

"District Court of the United States,
For the Northern District of Illinois

I, T. C. MacMillan, Clerk of the District Court of the United States for the Northern District of Illinois, do hereby certify that in a certain cause pending in said court, wherein D. W. Dinsmore is petitioner, and Stephen B. Wood and Albert Sartain, Agent of the State of Ohio, are respondents, a final order was rendered by said District Court on the 22d day of April, A. D. 1910, in favor of said respondents, and against the said petitioner, and that on the 21st day of May, A. D. 1910, said petitioner prayed an appeal to the Supreme Court of the United States, which was allowed on the 23d day of May, A. D. 1910.

hereunto subscribe my name, and affix the seal of said District Court, at Chicago this 25th day of October, A. D. 1910.

(Seal)

T. C. MacMillan,
Clerk."

moved the Court to docket and dismiss this cause pursuant to the 9th rule. And it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the District Court of the United States for the Northern District of Illinois be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said District Court to be proceeded in according to law and justice.

per Mr. Justice Harlan.

D. W. Dinsmore,
Appellant,
vs.
Stephen B. Wood and Albert Sartain, Agent of the State of Ohio.

746.

On motion of Mr. Karl T. Webber, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

Kentucky Union Co. The argument of this
23 vs. Plaintiff in Error, cause was concluded
Commonwealth of Kentucky by Mr. William B.
Dixon, of counsel
for the plaintiff in error and leave was granted
counsel for the plaintiff in error to file an additional brief herein.

The Eastern Kentucky The argument of
Coal Lands Corporation, this cause was
47848 vs Plaintiff in Error, commenced by Mr.
Commonwealth of Kentucky John G. Johnson, of
counsel for the
plaintiff in error; continued by Mr. David W.
Baird, of counsel for the defendant in error, and
concluded by Mr William J. Hendrick, of counsel for the plaintiff in error.

Charles Richardson, The argument of
23 vs. Plaintiff in Error, this cause was
A. V. McChesney, Secretary commenced by
of State, etc. et al. Mr. William A.
Holt, of counsel for
the plaintiff in error.

Proclamation being made, the Court is adjourned
until tomorrow at twelve o'clock.

Tuesday November 1st. 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E Hughes
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. E. C. Brandenburg, it is ordered that Thomas K. Leidy Esquire, of Reading, State of Pennsylvania, be admitted to practice as an attorney and counseller, of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Alfred W. Levinealer, it is ordered that Benjamin F. Ninde, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.—

Matthew Gage and Jane Gage,
33. vs. Appellants,
Riverside Trust Company, Limited, et al.

Appeal from the Circuit Court of the United States for the Southern District of California

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan.

Charles Richardson,
23. vs. Plaintiff in Error,
H. V. McChesney, Secretary of State, etc., et al.

The argument of this cause was concluded by Mr. William R. Holt of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

The United States of America to the use of Mattie McC. Hine et al.,
30. vs. Plaintiffs in Error,
Alexander Porter Morse et al., Executors, &c.

This cause was argued by Mr. William Hepburn Russell, of counsel for the plaintiffs in error, and Mr. John

for the defendants in error.

26. Charles Martel, Plaintiff in Error, vs. The State of Maine

This cause was argued by Mr. Herbert E. Holmes, of counsel for the plaintiff in error, and Mr. Warren C. Philbrook, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Wednesday, November 2d. 1910

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. J. Hemphill, it is ordered that A. A. Gunby, Esquire, of Monroe, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarence R. Wilson, it is ordered that Albert D. Henriques, Jr. and St. Clair Adams, Esquires of New Orleans, State of Louisiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr A. B. Browne, it is ordered that John C.

New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. E. C. Brandenburg, it is ordered that Andrew Albright Leiser, Esquire, of Lewisburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

34. Missouri, Kansas & Texas Railway Co. vs. J. B. Blackley. Plaintiff in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Hayerman and Mr. J. M. Bryson of counsel for the plaintiff in error and Mr B. F. Looney, of counsel for the defendant in error.

27. International Text Book Co. vs Connell R. Lynch Plaintiff in Error. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. David C. Harrington of counsel for the plaintiff in error. No brief was filed for the defendant in error.

28. R. R. Richardson vs. Appellant, Santiago Hinsa, Administrator, etc. This cause was argued by Mr. Joseph W. Lewis of counsel for the appellee and submitted on a printed argument by Mr. S. L. Kingan, of counsel for the appellant.

29. Duryea Power Co., Bankrupt etc., vs. Appellant, Herbert N. Sternbergh This cause was argued by Mr. E. C. Brandenburg, of counsel for the appellant, and Mr. Cyrus A. Derr, of counsel for the appellee.

30. Theodore K. Converse Receiver, etc., vs. Plaintiff in Error. John A. Stewart This cause was argued by Mr. William A. Wilson, of counsel for the plaintiff in error, and Mr. Edward W. Sheldon, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna — Associate
Oliver Wendell Holmes — Justices
William R. Day
Horace H. Lurton
Charles E. Hughes

John M. Wright, Esquire, Marshal.
James H. McKinney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Warren Olney, it is ordered that Robert Amos Waring, Esquire, of Sacramento, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Herrick it is ordered that Henry Moore Jr., Esquire, of Texarkana, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Thursday, November 3d, 1910, continued

	William F. Cochran, Jr.,	In Error to the
40.	vs. Plaintiff in Error.	Court of Appeals of
	Edward D. Preston,	the State of Mary-
	Inspector of Buildings, et al.	land.

The cause having been called for hearing in its regular order, and it appearing to the court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Harlan

	The United States,	These cases were
380 &	vs. Plaintiff in Error,	argued by Mr.
671.	Fritz Augustus Heinze	Assistant Attorney

Fowler of counsel for the plaintiff in error, and Mr. John C. Tomlinson and Mr. A. B. Browne of counsel for the defendant in error, and leave was granted counsel for the defendant in error to file an additional brief herein.

31.	The National Bank of Commerce of Seattle. vs. Appellant, R. E. Downie, Trustee, etc., et al	These cases were argued by Mr. J. E. Horan, of counsel for the appellees, and submitted on printed arguments by Mr. George E. Delaiguer, Mr. Frederick Bateman and Mr. Daniel Kelleher, of counsel for the appellants.
32.	The Seattle National Bank vs. Appellant. R. E. Downie, Trustee, etc., et al.	
33.	Maria Rovira et al., vs. Plaintiffs in Error. The Government of the Philippine Islands	This cause was argued by Mr. Frederic R Coudert, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Fowler, of counsel for the defendant in error.

Proclamation being made the court is ad-

Friday, November 4th, 1910

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. R. H. Williams, Jr., it is ordered that Walter C. Henderson, Esquire, of Medford, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Edward A. Rhoades, Jr., Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

Charles M. Bryan, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was so admitted accordingly.

474. Powhatan Coal & Coke Co. vs. Norfolk & Western Railway Co. — Appellant. — Appeal from the United States Circuit Court of Appeals for the Fourth Circuit.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Harlan

414 Bernard Corrigan et al., vs. Kansas City et al. — Plaintiffs in Error. — In Error to the Supreme Court of the State of Missouri.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Harlan

36 Diamond Rubber Co., of New York, vs. Consolidated Rubber Tire Co., et al. Petitioner

The argument of this cause was commenced by Mr. E. F. Offield, of counsel for the petitioner, and continued by Mr. Frederick P. Fish, of counsel for the respondents. Whereupon, it is now here ordered by the Court that this cause be, and the same is hereby, passed for argument hereafter when the vacancies on the bench shall have been filled.

37 Delia Moffitt et al., vs. M. J. Kelly, Treasurer, &c. Plaintiffs in Error,

This cause was argued by Mr. Warren Olney, of counsel for the plaintiffs in error, and Mr. Robert A. Waring, of counsel for the defendant in error.

38 The Arkansas Southern Railway Co., et al., vs. Louisiana & Arkansas Railway Co. Plaintiffs in Error

This cause was argued by Mr. A. A. Gunby, of counsel for the plaintiffs in error, and Mr. Henry Moore, Jr., of counsel for the defendant in error.

Proclamation being made the Court is adjourned

Monday, November 5th, 1906

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Thomas Lee Moore, Esquire, of Roanoke, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Joseph Packard it is ordered that A. Morris Tyson, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

Jerome Rooney Esq. of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that William C. McFarland, Esquire, of Solomonville, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Morgan Shuster, it is ordered that C. W. O'Brien, Esquire, of Manila, Philippine Islands, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that George W. Field, Esquire, of Scarsdale, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Lewis Smith, it is ordered that Edward Henry White, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was

On motion first made to the Court in this behalf by Mr. N. B. Worthington, it is ordered that John Hall Jones, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

6 Robert Earl Kinfoot, Plaintiff in Error, vs. The Farmers & Merchants Bank et al. — In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Hughes.

418. Ong Chang Wing and Kwong Fok, Plaintiffs in Error, vs. The United States — In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judg-

be, and the same is hereby affirmed.

per Mr. Justice Day.

Rickey Land & Cattle Co. vs. Miller & Lux. Petitioner. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Nevada.

per Mr. Justice Holmes.

Dissenting:
Mr. Justice White

Rickey Land & Cattle Co. vs. Henry Wood, James O. Birmingham, Charles Snyder and Charles Johnston. Petitioner. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit

was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Nevada

per Mr. Justice Holmes.

Dissenting:
Mr. Justice White.

Lehigh Valley Railroad Co. Appellant,
vs.
Connell Steamboat Co., Claimant of the Steam Tug "Ira M. Hedges" etc. } Appeal from the District Court of the United States for the Southern District of New York.

18.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Holmes.

25. International Text Book Co., Plaintiff in Error, vs. Carl Peterson. In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for such further proceedings as are required by and are not inconsistent with the opinion of this Court.

per Mr. Justice Harlan

27. International Text Book Co., Plaintiff in Error, vs. Connie R. Lynch. In Error to the Supreme Court of the State of Vermont.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Vermont, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court, for such

are not inconsistent with the opinion of this Court.

per Mr. Justice Harlan.

741. Norfolk & Western Railway Co., vs. Plaintiff in Error; D. E. Earnut. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Harlan

553. Commercial State Bank & Trust Co., vs. Plaintiff in Error; J. L. Bates, Trustee. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Justice Harlan

744. Stuart Wood, vs. Petitioner, Ballard Preston Browning et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in sup-

dered by the Court that said petition be and the same is hereby denied.

per Mr. Justice Harlan

745. The Union Ferry Co., of New York & Brooklyn, Claimant of the Ferry-boat "Montauk" &c., Petitioner. vs. The New York, New Haven, & Hartford Railroad Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

Mr. Justice Harlan announced that the Court will take a recess from Monday, the 14th instant to Monday, the 28th instant.

Russell P. Goodwin and Robert M. Fulton, Plaintiffs in Error, vs. The People's United States Bank

In Error to the Circuit Court of the United States for the Eastern District of Missouri

This cause having been called to the attention of the Court by Mr. Attorney General Wickersham, of counsel for the plaintiffs in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Harlan

761. James D. Gill, Collector, &c., Petitioner, vs. James W. Austin, Executor, &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Wickersham in support of the same, and Mr. J. L. Thorndike in opposition thereto.

762 W. Frank Kinney, Collector, &c., Petitioner, vs. Samuel Morris Conant, et al., Executors, &c.

The petition for a writ of certiorari herein was submitted to the consideration of

General Wickersham in support of the same and Mr Walter F. Angell and Mr. Frank H. Swan in opposition thereto—

763. James D. Hill, Collector, &c., Petitioner, vs. J. Scott Parrish, Administrator, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Wickersham in support of the same, and Mr. J. L. Thorndike in opposition thereto—

764. Ferdinand Eidman, Collector &c., Petitioner. vs. Henry B. Shepard, Executor, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Attorney General Wickersham in support of the same

765 Ferdinand Eidman, Collector &c., Petitioner vs. Albert Lewisohn et al, Executors &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Wickersham in support of the same, and Mr. Edward Lauterbach in opposition thereto—

766. Archie D. Sanders, Collector, &c., vs. Petitioner. Lawrence D. Kinney et al., Executors, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Attorney General Wickersham in support of the same, and Mr. Ansley Wilcox in opposition thereto.

767. The United States, vs. Petitioner. Peter W. Rouse, Executor, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Wickersham in support of the same, and Mr. John Jerome Rooney in opposition thereto.

768. William McCoach, Collector, &c. vs. Petitioner, Albertine Bamberger et al., Executors, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Wickersham in support of the same, and Mr. William G. C. Anderson in opposition thereto.

— Ex parte: In the matter of Walter J. Gregory, Original. Petitioner. The motion for leave to file a petition for a writ of habeas corpus herein and

mitted to the consideration of the Court o
arguments by Mr. A. S. Worthington, Mr. C
Hogan and Mr. John Hall Jones in suppo
same, and leave was granted Mr. Edwar
Thomas to file a brief in opposition within

749 Moore Brothers,
vs. Petitioners.
A. Dreher & Co., et al.

The petition for
of certiorari h
was submitted
consideration
Court on printed arguments by Mr. E.
denburg and Mr. F. Walter Brandenburg
support of the same, and Mr. James F
opposition thereto.

53. Vicente Vazquez Vilas
vs. Plaintiff in Error & Appellant
The City of Manila

Esperanza Otero Trigas et al.,
vs. Plaintiffs in Error & Appellants
The City of Manila

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for hearing with case No. 207 as one ca
when that case is reached.

51. Eagle Mining & Improvement Co.,
vs. Appellant,
Mary R. Hamilton et al.

This ca
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by Mr. Samuel Parker, of counsel for the appellant, and Mr. James H. Fitch, of counsel for the appellee.

No. 42. Eagle Mining & Improvement Co., Plaintiff in Error, vs. Robert E. Lund. In Error to the Supreme Court of the Territory of New Mexico.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan

No. 39. Wilson R. Hunter, Plaintiff in Error, vs. Mutual Reserve Life Insurance Co. et al. This cause was argued by Mr. Paul Armilage of counsel for the plaintiff in error, and Mr. George H. Wm. William Hepburn Russell of counsel for the defendants in error

The City of Columbus,
vs. Appellant.
Mercantile Trust & Deposit Co. of Baltimore, Trustee, et al.

The argument of this cause was commenced by Mr. William A. Wimbish, of counsel for the appellant.

Proclamation being made, the Court is ad-

Tuesday, November 8th. 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John A. Kratz, Jr., it is ordered that Edward S. Chastain, Esquire, of Nashville, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Walter J. Gregory. Original. Petitioner.

On consideration of the motion to admit the petitioner to bail pending the hearing of this case, It is now here ordered by the Court that the petitioner be released from custody on giving bond in the sum of Fifteen Hundred Dollars ($1500.00) to be approved by

260 Stuart Lindsley.
vs. Appellant,
Natural Carbonic Gas Co., et al.

On motion of Mr. Henry E. Davis, in behalf of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, December 5th next, after the cause heretofore assigned for that day.

53. Verisimo Vasquez Vilas.
vs. Plaintiff in Error & Appellant
The City of Manila
Esperanza Otero Trigas et al.,
vs Plaintiffs in Error & Appellants
The City of Manila

On consideration of the motion to place these cases and assign the same for argument with case No. 207 as one case, when the last case is reached, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

41. The City of Columbus,
vs. Appellant,
Mercantile Trust & Deposit Co., of Baltimore, Trustee, et al.

The argument of this case was continued by Mr. William A. Wimbish, of counsel for appellant, and Mr. Joseph Packard, of counsel for the appellee, and concluded by Mr. T. J. Miller, of counsel for the appellant.

42. The City of Memphis et al., Appellants, vs. The Cumberland Telephone & Telegraph Co. — For the appellants

The argument of this cause was commenced by Mr. Charles W. Bryan, of counsel

Proclamation being made, the Court is ad-

Wednesday, November 9th, 1910.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Harry Pillans, it is ordered that Thomas M. Stevens, Esquire, of Mobile, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to this Court in this behalf by Mr. Moses Taggart, it is ordered that Hanson Taggart, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

57. Viola La Barre, Plaintiff in Error, vs. John F. Maroney — In Error to the Court of Errors and Appeals of the State of New Jersey

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan

42. The City of Memphis et al. Appellants, vs. The Cumberland Telephone & Telegraph Co. — The argument of this cause was continued by Mr. Charles M. Bryan, of counsel for the appellants, and Mr. William L. Granbery, of counsel for the appellee, and concluded by Mr. Charles M. Bryan, of counsel for the appellants.

43. John B. Fisher et al., Plaintiffs in Error, vs. The Mayor and Council of the City of New Orleans — The argument of this cause was commenced by Mr. Charles Louque, of counsel for the plaintiffs in error, and continued by Mr. St. Clair

Thursday, November 10, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes.
Associate Justices

John M. Wright, Esq., Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. S. F. Bledsoe, it is ordered that N. A. Ledbetter, Esquire, of Ardmore, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Walter J. Gregory. Petitioner

Original

On motion of Mr. A. S. Worthington, of counsel for the petitioner, leave is hereby granted him to file an additional brief herein on or before tomorrow.

43. John B. Fisher et al. vs. Plaintiffs in Error, The Mayor and Council of the City of New Orleans. The argument of this cause was continued by Mr. St. Clair Adams, of counsel for the defendants in error, and concluded by Mr Charles Louque, of counsel for the plaintiffs in error.

390. The United States, vs. Plaintiff in Error, Gustav E. Kissell et al. On motion of Mr. Joseph A. Labbate, of counsel for the defendants in error, It is ordered by the Court that four hours be allowed for the argument of this case and that leave be granted to file briefs on behalf of certain outside parties.

390 The United States, vs Plaintiff in Error, Gustav E. Kissell et al. The argument of this cause was commenced by Mr. Assistant Attorney General Fowler, of counsel for the plaintiff in error, and continued by Mr. William D. Guthrie, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Friday. November 11th. 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes.
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. B. F. Salinger, it is ordered that George Cosson, Esquire, of Audubon, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Pittsburgh, Cincinnati Chicago & St. Louis Railway Co., Plaintiff in Error,
vs.
The State of Indiana.

On motion of Mr. Lawrence Maxwell, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, advanced to be heard with case No. 50 as one case, and leave is granted counsel on

390. The United States. vs. Plaintiff in Error. Gustav E. Kissell et al

The argument of this cause was continued by Mr. William D. Guthrie.

Mr Joseph N. Choate, and Mr. Leavitt J. Hunt, of counsel for the defendants in error, and concluded by Mr. Assistant Attorney General Fowler, of counsel for the plaintiff in error, and leave was granted counsel for the defendants in error to file an additional brief herein on or before the 17th instant.

50 The Chicago, Rock Island & Pacific Railway Co. vs. Plaintiff in Error, The State of Arkansas.

304 The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co. vs Plaintiff in Error, The State of Indiana.

The argument of these cases was commenced by Mr. Thomas S. Buzbee, of counsel for the plaintiff in error in No. 50; continued by Mr. W. L. Terry and Mr Hal L. Norwood, of counsel for the defendant in error in No. 50, and concluded by Mr. Lawrence Maxwell, of counsel for the plaintiffs in error in both cases, and leave was granted counsel in No. 304 to file printed briefs herein within ten days.

Proclamation being made, the Court is adjourned

Monday. November 14th 1910

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes } Associate Justices
William R. Day
Horace H. Lurton
Charles E. Hughes
John M. Wright, Esquire.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Joseph Ullman, Esquire, of New York City, and Arthur B. Schaffner, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Kratz, Jr. it is ordered that Walter Hazard, Esquire, of Georgetown, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

half by Mr. A. S. Worthington, it is ordered that P. H. Cullen, Esquire, of St. Louis, State of Missouri and Edward S. Durall, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that William J. Ammen, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. W. Jamison, it is ordered that William Chamberlain and James N. Trewin, Esquires, of Cedar Rapids, State of Iowa, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Ruffin, it is ordered that Bennett H. Perry, Esquire, of Henderson, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

Monday, November 14th, 1910. Continued

Ex parte: In the matter of The Metropolitan Trust Co. of the City of New York.

12. Original. Petitioner.

On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be made absolute and that a writ of mandamus be, and the same is hereby, awarded as prayed.

per Mr. Justice Hughes

Ling Su Fan,

31. vs. Plaintiff in Error,

The United States

In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed

per Mr. Justice Lurton

R. K. Richardson,
28 vs. Appellant
Santiago Ainsa, Administrator with will annexed of the estate of Frank Ely, deceased

Appeal from the Supreme Court of the Territory of Arizona

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

Dunyea Power Co., Bankrupt, by its Trustee, The Berks County Trust Co.,
29 vs. Appellant,
Herbert M. Rumbergh

Appeal from the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Holmes.

26 Charles Martel. Plaintiff in Error
vs.
The State of Maine

In Error to the Supreme Judicial Court of the State of Maine

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Maine, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Harlan

Theodore R. Converse, Receiver of The Minnesota Thresher Manufacturing Co. Plaintiff in Error
vs.
John A. Stewart.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Harlan

Ex parte: In the matter of Walter J. Gregory, Petitioner. Original

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

per Mr. Justice Harlan.

Ex parte: In the matter of Walter J. Gregory, Petitioner. Original

On consideration of the petition for a writ of habeas corpus herein, It is now here ordered by the Court that cause be shown by Thomas J. McKee, Warden of the Jail of the District of Columbia, before this Court at the City of Washington, on Monday, November 28, 1910, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

per Mr. Justice Harlan.

749 Moore Brothers, Petitioners, vs. N. Dreher & Company et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of

well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

per Mr. Justice Harlan

714. The Wabash Railroad Co., et al. vs. James Pollitz. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

per Mr. Justice Harlan

761. James D. Gill, Collector of Internal Revenue, vs. James W. Austin, Executor under the will of Gustavus Hay, Jr., deceased. Petitioner On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in sup-

ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan.

762. W. Frank Kinney, Collector of Internal Revenue, vs. Samuel Morris Conant and George Mumford Thornton, Executors of the last will and testament of Hezekiah Conant, deceased. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan.

763. James D. Gill, Collector of Internal Revenue, vs. J. Scott Parrish, Administrator of the estate of Joseph R. Winch, deceased. Petitioner, On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of

Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan.

Ferdinand Eidman, Collector of Internal Revenue, vs. Petitioner. Henry B. Shepard, Executor of the last will and testament of Louisa S. Wright, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

No. 644

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan

Ferdinand Eidman, Collector of Internal Revenue, vs. Petitioner. Albert Lewisohn, Frederick Lewisohn, Walter Lewisohn and Philip J. Henry, Executors of the last will and testament of Leonard Lewisohn, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

No. 645

certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

766. Archie D. Saunders, Collector of Internal Revenue, vs. Petitioner, Laurence D. Rumsey, Bronson Rumsey and Evelyn R. Cary, Executors of the last will and testament of Bronson C. Rumsey, deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

767. The United States, Petitioner, vs. Peter W. Rones, Executor of the last will and testament of Charles Broadway Rones, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Justice Harlan

768. William McCoach, Collector of Internal Revenue, Petitioner, vs. Albertine Bamberger, Max Bamberger and Maurice Bamberger, Executors of the last will and testament of Leopold Bamberger, deceased, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as

is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

383. Northern Pacific Railway Co., vs. Plaintiff in Error, Bessie Babcock, as Administratrix, etc.

538 New York, New Haven & Hartford Railroad Co., vs. Plaintiff in Error, Mary Agnes Walsh, Administratrix, etc.

539. Mary Agnes Walsh, Administratrix, etc., vs. Plaintiff in Error, New York, New Haven & Hartford Railroad Co.

313. Edgar H. Mondou, vs. Plaintiff in Error, New York, New Haven & Hartford Railroad Co.

On motion of Mr. Attorney General Wickersham, It is ordered by the Court that these cases be, and they are hereby re assigned for argument on Monday, January 16th, 1911, after the cases heretofore assigned for that day.

778. O. P. Halligan, Warden &c., vs. Petitioner, Frank Wayne.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Wickersham in support of the same, and Mr. E. C. Brandenburg in op-

771 Zoe Agnes Semple et al., vs. Lewis Construction Co. Petitioners. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Troyman O. Abbott in support of the same.

666 Western Union Telegraph Co., vs. The State of Minnesota. Plaintiff in Error. Mr. George T. Simpson, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

No. Original The State of Minnesota, vs. The State of Wisconsin. Complainant. On motion of Mr. George T. Simpson, of counsel for the complainant, leave is hereby granted to file the bill of complaint herein, and process is ordered to issue

305 Supreme Ruling of the Fraternal Mystic Circle. vs. Annie Snyder Plaintiff in Error, The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. B. Sizer and Mr. Robert Pritchard in support of the same, and Mr. F. Zimmerman in opposition thereto.

520 Indian Protective Association. Appellant, vs. Hugh N. Gordon and Benjamin Miller, Administrators &c. The motion to dismiss this appeal or to affirm the decree herein as to Benjamin Miller, Administrator, &c., was submitted to the consideration of the Court on the record and printed arguments by Mr. Heber J. May in support of the same, and Mr. Charles Poe, Mr. Daniel B. Henderson, Mr. Benjamin S. Minor, and Mr. Hugh B. Roland in opposition thereto.

755. E. F. Swift et al., vs. Petitioners Lester M. David The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William T. S. Curtis in support of the same, and Mr. James A. Kerr in opposition thereto.

747. P. A. Willcox, Receiver &c., vs. Petitioner, Lelia A. Jones, Administratrix &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry E. Davis in support of the same, and Mr. Walter Hazard in opposition thereto.

George Mengel
vs. Plaintiff in Error
Blanche Mengel et ux.

Mr. Benjamin I. Salinger, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to reinstate the case or for leave to docket the case on a second writ of error sued out herein.

714. John A. Kipper
vs. Petitioner.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. P. H. Cullen, Mr. Thomas J. Faunttleroy and Mr. Shepard Barclay in support of the same, and Mr. Attorney General Wickersham and Mr. Assistant Attorney General Harr in opposition thereto, and leave was granted counsel for the petitioner to file an additional brief herein.

126 William M. Brown,
vs. Appellant.
John F. Horr, Marshal of the United States for the Southern District of Florida.

Appeal from the District Court of the United States for the Southern District of Florida.

The cause having been called to the attention of the Court by Mr. Frederick C. Bryan, of counsel for the appellant, and he having moved the Court

of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan.

769. E. M. Kerr Receiver, etc., Petitioners vs The Swedish Trading Co — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Parker Kirlin and Mr. Charles R. Hickox in support of the same, and Mr. Frederick M Brown in opposition thereto.

773 & 774. The J. M. Guffey Petroleum Co., Petitioner vs The Louisiana Transportation Co — The petition for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles C. Burlingham, Mr. D. T. Watson and Mr. James N. Beal in support of the same; and Mr Edward E. Blodgett and Mr. J. Parker Kirlin in opposition thereto.

371. Cedar Rapids Gas Light Co. Plaintiff in Error, vs City of Cedar Rapids et al — The motions to advance and to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. J. W Jamison and

and Mr. James N. Trewin and Mr. John N. Hughes in opposition thereto.

743 Henry Friend et al., Petitioners, vs. James Talcott. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Arthur B Schaffner Mr. Jacob Newman, Mr. S. O. Levinson and Mr. B. V. Becker in support of the same, and Mr. Horace Kent Tenney and Mr. Roger Sherman in opposition thereto.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna Associate
Oliver Wendell Holmes Justices
William R. Day
Horace H. Lurton
Charles E. Hughes.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that S. Wallace Dempsey, Esquire, of Lockport, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tyson S. Dines it is ordered that Lon O. Hocker, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington, it is ordered

State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that J. Blocker Thornton, Esquire, of Mobile, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Borah, it is ordered that J. M. Thompson, Esquire, of Caldwell, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Paul W. Chase, Esquire, of Hillsdale, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry F. Lerch, it is ordered that J. T. Simpson, Esquire, of the District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn

Eagle Mining & Improvement Co.,
51. vs. Appellant
Mary R. Hamilton et al. and Humphrey B. Hamilton, Jr., Administrator of the Estate of Humphrey B. Hamilton, deceased

Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the Territory of New Mexico.

Per Mr. Justice Hughes.

The United States,
510. vs. Plaintiff in Error
Frank H. Mason

In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged

Circuit Court in this cause be, and the same is hereby affirmed.

per Mr. Justice Hughes.

No 11 The United States, Plaintiff in Error, vs. Frank N. Mason. In Error to the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Hughes

No 12. The United States vs. Frank N. Mason Plaintiff in Error, In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed

Lucino Almeida Chautungco and Enrique Lete, Plaintiffs in Error, vs Eduardo Abaroa. — In Error to the Supreme Court of the Philippine Islands.

2.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton

The United States of America to the use of Mattie McC. Hine and Robert E. Hine, Plaintiffs in Error, vs Alexander Porter Morse, The Union Trust Co., of the District of Columbia, and Daniel Boone Clarke Waggaman, Executors of Daniel B. Clarke, deceased. — In Error to the Court of Appeals of the District of Columbia.

25.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals in

with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and to remand the cause to that Court with directions to sustain the demurrer and for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lurton

* No. 23
See page 192.

W. S. Harlan, C. C. Dillon and S. E. Huggins, Appellants,
vs.
J. F. McGowin, United States Marshal for the Northern District of Florida.

Appeal from the Circuit Court of the United States for the Northern District of Florida

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

379. Robert Gallagher, Appellant, vs. J. F. McGowin, United States Marshal for the Northern District of Florida. Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

145 The United States, Plaintiff in Error, vs. Ansonia Brass & Copper Co., American Steel Casting Co., et al. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme

and "Galveston" be, and the same is hereby affirmed, and as to the "Bouyuard" be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Supreme Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Day.

* 42. Arkansas Southern Railway Co. and F. L. Shaw, Sheriff and Tax Collector, Plaintiffs in Error, vs. Louisiana & Arkansas Railway Co. — In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr Justice Holmes

43. John B. Fisher, James M. Fisher, William G. Fisher et al., Plaintiffs in Error, vs. The Mayor and Council of the City of New Orleans. — In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard

of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes.

15. Western Union Telegraph Co., Plaintiff in Error, vs. Commercial Milling Co. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Holmes.

Monday, November 28th 1910. continued

	The Moore Printing Typewriter Co., a body corporate; Russell W. Montague and George S. Montague	Appeal from the Court of Appeals of the District of Columbia.
21.	vs. Appellants,	
	National Savings & Trust Co., and American Stanograph Co., bodies corporate; Ernest M. Pease, Henry J. Gensler, et al.	

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

	Montezuma Canal Co.,	Appeal from the Supreme Court of the Territory of Arizona.
1.	vs Appellant	
	Smithville Canal Co. et al.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs;

remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice White

Maria Roura and Juana Roura, Plaintiffs in Error, vs. The Government of the Philippine Islands. In Error to the Supreme Court of the Philippine Islands

No. 37.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice White.

Delia Moffitt and Delia Moffitt, Executrix, and James K. Moffitt and Herbert C. Moffitt, Executors of the will of James Moffitt, deceased, Plaintiffs in Error, vs. M. J. Kelly, Treasurer of the County of Alameda, State of California. In Error to the Supreme Court of the State of California.

No. 37.

of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

J. Harvey Ladew, Louise Berry Wall Ladew, Individually and as Trustee under the will of Edward R. Ladew, deceased, et al., Appellants, vs. Tennessee Copper Co. — Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

No. 495.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

George Peabody Wetmore, Appellant, vs. Tennessee Copper Co. — Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

No. 500.

of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Robert A. Hooe and Arthur Herbert, Appellants, vs. The United States. 13. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Harlan.

The National Bank of Commerce of Seattle, Appellant, vs. R. E. Downie, Trustee; St. Paul & Tacoma Lumber Co., Barber Asphalt Paving Co., et al. 31. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Washington.

Per Mr. Justice Harlan

332. The Seattle National Bank, Appellant, vs. R. E. Downie, Trustee; St. Paul & Tacoma Lumber Co., Barber Asphalt Paving Co. et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Washington.

Cincinnati, Indianapolis & Western Railway Co., Plaintiff in Error,
14. vs. In Error to the Supreme Court of the State of Indiana.
Lely of Connersville.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Missouri, Kansas & Texas Railway Co., Plaintiff in Error,
34. vs. In Error to the Court of Civil Appeals of the
J. B. Blackley. Fifth Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals of the Fifth Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Harlan.

666 Western Union Telegraph Co., Plaintiff in Error
vs.
The State of Minnesota

On consideration of the motion to advance this cause and assign the same for argument on Monday, October 16, 1911, It is now here ordered by the Court that said motion be, and the same is hereby, denied without prejudice.

Per Mr. Justice Harlan.

371. Cedar Rapids Gas Light Co., Plaintiff in Error
vs.
The City of Cedar Rapids et al

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Justice Harlan

371. Cedar Rapids Gas Light Co., Plaintiff in Error
vs.
City of Cedar Rapids et al

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Justice Harlan

505. Supreme Ruling of the Fraternal Mystic Circle, Plaintiff in Error
vs.

It is ordered by the Court that the further consideration of

or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Justice Harlan.

520. Indian Protective Association, Appellant, vs. Hugh N. Gordon and Benjamin Miller Administrator of the estate of Levi Maish, deceased. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia and on the motion of the appellee, Benjamin Miller, Administrator of the estate of Levi Maish, deceased, to dismiss the appeal or affirm the decree as to himself and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause as to the said Benjamin Miller, Administrator of the estate of Levi Maish, deceased, be and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan

George Mengel, Plaintiff in Error, vs. Blanche Mengel and On consideration of the motion to reinstate this cause

for leave to docket the cause on the second writ of error sued out. It is now here ordered by the Court that leave be, and the same is hereby, granted to docket the cause on the second writ of error sued out on the payment of the costs incurred by the defendants in error on the docketing and dismissing of the first writ of error.

Per Mr. Justice Harlan.

P. A. Willcox, Receiver of The Georgetown & Western Railroad Co., Petitioner
vs
Lelia A. Jones, Administratrix of James A. Jones, deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

747

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same It is now here ordered by the Court that said petition be, and the same is hereby, denied

Per Mr. Justice Harlan.

755. Edward F. Swift, Andrew D. Davidson, Alexander D. McRae and Peter Jansen vs. Luter W. David — Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

769. E. M. Herr et al., as Receivers of the Westinghouse Electric & Manufacturing Co. vs. The Swedish Trading Co. — Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

771. Zoe Agnes Semple and Mary Ethel Swanston, Executors of the last will of Eugene Semple, deceased. vs. Lewis Construction Co. — Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

772. The J. M. Guffey Petroleum Co., vs The Coastwise Transportation Co. — Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

774. The J. M. Guffey Petroleum Co., Petitioner. vs. The Coastwise Transportation Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Justice Harlan

778 O. P. Halligan, Warden of the United States Penitentiary on McNeils Island, Washington, Petitioner, vs. Frank Wayne On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan

Henry Friend, Solomon C. Moss and Henry Morris,
7/18. vs. Petitioners
James Talcott.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Justice Harlan

William Dreier,
358 vs. Plaintiff in Error,
The United States
William Dreier
359 vs. Appellant,
William Henkel, U.S. Marshal, etc

It is ordered by the Court that these cases be, and the same are hereby, restored to the docket for re-argument before a full bench

Per Mr. Justice Harlan

The United States
294. vs. Plaintiff in Error,
The Pacific Mail Steamship Co.

In Error to the District Court of the United States for the Northern District of California.

This cause having been called to the attention of

of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

per Mr. Justice Harlan.

295. The United States, Plaintiff in Error, vs The Pacific Mail Steamship Co. — In Error to the District Court of the United States for the Northern District of California

This cause having been called to the attention of the Court by Mr. Attorney General Wickersham, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

per Mr. Justice Harlan

296. The United States, Plaintiff in Error, vs The Pacific Mail Steamship Co. — In Error to the District Court of the United States for the Northern District of California

This cause having been called to the attention of the Court by Mr. Attorney General Wickersham,

having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Justice Harlan.

297 The United States, Plaintiff in Error, vs The Pacific Mail Steamship Co. — In Error to the District Court of the United States for the Northern District of California

This cause having been called to the attention of the Court by Mr. Attorney General Wickersham, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Justice Harlan

298 The United States, Plaintiff in Error, vs The Pacific Mail Steamship Co. — In Error to the District Court of the United States for the Northern District of California

This cause having been called to the attention of the Court by Mr. Attorney General Wickersham, of counsel for the plaintiff in error, and he hav-

rorum this cause. Therefore in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed

per Mr. Justice Harlan

759. Christopher C. Wilson, Plaintiff in Error, vs The United States
760 Christopher C. Wilson. Appellant. vs The United States
788. Christopher C. Wilson. Appellant. vs The United States

Mr. Attorney General Wickersham submitted to the consideration of the Court a motion to advance these cases.

73 Mariano F. Sena, Plaintiff in Error, vs American Surgroice Co.

On motion of Mr. George W. Wickersham, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 4, rule 26.

17. Ex parte: In the matter of Walter J. Gregory, Original Petitioner.

On motion of Mr. A. S. Worthington, leave is hereby granted him to withdraw his appearance as counsel for the petitioner in this cause.

798. Frederick A. Hydestad, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. A. S. Worthington in support of the same, and suggestions in relation thereto were submitted by Mr. Attorney General Wickersham for the respondent.

Original. Ex parte: In the matter of the Mallory Steamship Co., Petitioner. The motion for leave to file a petition for a writ of prohibition herein was submitted to the consideration of the Court on printed arguments by Mr. Everett P. Wheeler in support of the same, and Mr. Frederick M. Brown in opposition thereto.

797. Amanda C. Foster Petitioner vs. Luciana F. Bordo, Executrix, etc. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Blocker Thornton and Mr. Frederick G. Bromberg in support of the same, and Mr Harry Pillans in opposition thereto.

Original. Ex parte: In the matter of N. A. Bradford, Petitioner. The motion for leave to file a petition for writs of

mandamus herein was submitted to the consideration of the Court by Mr George P. Hoover and Mr. William E. Borah in support of the same.

Ex parte: In the matter of Sobrinos de Ezpiaga. Original. Petitioner

Mr. Frederic D. McKenney, in behalf of counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition or a writ of mandamus herein.

Stuart Lindsley. 260. Appellant. vs Natural Carbonic Gas Co., et al.

Mr. Frederic D. McKenney, in behalf of counsel, submitted to the consideration of the Court a motion by counsel for the New York Carbonic Acid Gas Co. et al for leave to file a brief herein and to participate in the oral argument of this cause.

The State of Oklahoma, 13, Original vs. Complainant, The Atchison, Topeka & Santa Fe Railway Co.

Mr A. B Browne, in behalf of counsel, submitted to the consideration of the Court a motion to fix a day for the argument of this cause.

304. The Pittsburgh, Cincinnati Chicago & St. Louis Railway Co., Plaintiff in Error, vs. The State of Indiana.

On motion of Mr. James Bingham, of counsel for the defendant in error, It is ordered by the Court that the order advancing this cause be, and the same is hereby, set aside and the case restored to the docket.

207. Ricardo Aguado, Appellant, vs. The City of Manila.

Mr. N. W. Van Dyke in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

63. The San Juan Light & Transit Co., Plaintiff in Error, vs. Maria Paz.

In Error to the District Court of the United States for Porto Rico.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Justice Harlan.

No. 225. Katchador M. Tarpenian, Appellant, vs. William Williams, Commissioner of Immigration at the Port of New York. Appeal from the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a motion by appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan.

Nos. 574 & 575. Doris Griffith alias Dorie Griffin, Plaintiff in Error, vs. The State of Connecticut. The motion to dismiss or affirm in these cases was submitted to the consideration of the Court on the record and printed arguments by Mr. Hugh M. Alcorn in support of the same, and Mr. J. Henry Harris in opposition thereto.

No. 8, Original. Ex parte: In the matter of Athanasy Nicola, Petitioner,
No. 11, Original. Ex parte: In the matter of the Cudahy Packing Co., Petitioner. The argument of these cases was commenced by Mr. Lon O. Hocker, of counsel for the petitioner in No. 8, Original, continued by Mr. Tyson

Original, as Mr. Ralph W. Breckenridge, of counsel for the petitioner in No. 11, Original, and concluded by Mr. Lon O. Hocker, of counsel for the petitioner in No. 8, Original, and the cause were submitted on a printed brief by Mr. Constantine J. Smyth and Mr. Edward P. Smith, of counsel for the respondent in No. 11, Original.

* 319. William Hendrix, Plaintiff in Error; vs. The United States. The argument of this cause was commenced by Mr. J. G. Dudley of counsel for the plaintiff in error.

* 23. Charles Richardson, Plaintiff in Error; vs. N. B. McChesney, Secretary of State of the Commonwealth of Kentucky, et al. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Lurton

Proclamation being made, the Court is adjourned

Tuesday, November 29th 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened

Fred Light,
vs. Appellant,
The United States.

No. 360.

Mr. Henry M. Teller, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

William Hendrix,
vs. Plaintiff in Error,
The United States.

No. 314

The argument of this cause was continued by Mr. J. G. Dudley, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Fowler, of counsel for the defendant in error, and concluded by Mr. J. G. Dudley, of counsel for the plaintiff in error.

46 Julian Herencia, vs. Felix Guzman, Plaintiff in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Willis Lovett, of counsel for the plaintiff in error, and Mr. Frederick L. Cornwell, of counsel for the defendant in error.

49 The Spokane & British Columbia Railway Co., vs. The Washington & Great Northern Railway Co. et al., Plaintiffs in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William T. Beck and Mr. W. C. Reagin, of counsel for the plaintiffs in error, and Mr. Thomas R. Benton, of counsel for the defendants in error.

45 Margaret E. Taylor, in her own right, etc., vs. Mary J. Leecnitzer et al., Appellant. It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

56 German Alliance Insurance Co., vs. Foster M. Hale, Jr., Plaintiff in Error. This cause was argued by Mr. Alex. C. King, of counsel for the plaintiff in error, and submitted on a

of counsel for the defendant in error.

vs. John F. Calder et al.
Plaintiffs in Error.
The People of the State of Michigan ex rel. George E. Ellis et al.

The argument of this cause was commenced by Mr. Henry A. Forster, of counsel for the plaintiffs in error, and continued by Mr Hanson Taggart and Mr. Morse Taggart of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Wednesday, November 30th, 1910.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. J. R. Webster, it is ordered that Andrew G. Wolfenbarger, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. H. Loomis, it is ordered that Henry A. Scandrett, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

60.	Marchie Tiger, vs. Plaintiff in Error, The Western Investment Co. et al	On motion of Mr. S. T. Bledsoe, leave is hereby given him to file a printed brief herein as amicus curiae.
331.	William Brown et al., vs. Appellants, The United States	
58.	John F. Calder et al., vs. Plaintiffs in Error, The People of the State of Michigan ex rel George E. Ellis et al.	The argument of this cause was continued by Mr. Moses Taggart, of counsel for the defendants in error, and concluded by Mr. Willard Kingsley, of counsel for the plaintiffs in error.
331.	William Brown et al., vs. Appellants, The United States	On motion of Mr. F. N. Judson, leave is hereby granted to the Attorney General of Oklahoma to file a brief herein as amicus curiae, within four days
54.	The Mobile, Jackson & Kansas City Railroad Co., vs. Plaintiff in Error, J. N. Turnipseed, Administrator, etc.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. N. Flowers

C. N. Alexander, of counsel for the defendant in error.

60. Marchie Tiger, Plaintiff in Error; vs The Western Investment Co. et al.

330 David Muskrat et al., Appellants, vs The United States.

331. William Brown et al., Appellants, vs The United States

It is ordered by the the Court that these cases be argued together, and that three and one half hours be allowed counsel on each side for the argument.

60. Marchie Tiger, Plaintiff in Error, vs. The Western Investment Co. et al.

330. David Muskrat et al., Appellants, vs The United States

331. William Brown et al., Appellants, vs The United States

The argument of these cases was commenced by Mr. W. L. Murdock, of counsel for the plaintiff in error in No. 60, and continued by Mr. George S. Ramsey and Mr. S. T. Bledsoe, of counsel for the defendants in error in No. 60

Proclamation being made the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. Thompson, it is ordered that Arthur F. Mullen, Esquire, of O'Neill, and I. L. Albert, Esquire, of Columbus, State of Nebraska, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

504 The United States, Petitioner
vs.
The Atchison, Topeka & Santa Fe Railway Co.

On motion of Mr. Assistant to the Attorney General Kenyon of counsel for the petitioner, It is ordered by the Court that this cause be, and the same is hereby re-assigned for argument with cause

60 Marchie Tiger,
vs. Plaintiff in Error.
The Western Investment Co.

330 David Muskrat et al.,
vs Appellants,
The United States.

331. William Brown et al.,
vs. Appellants.
The United States

The argument of these cases was continued by Mr. John J. Hemphill, of counsel for the appellants in No. 331; by Mr. Daniel B. Henderson, of counsel for the appellants in No. 330; by Mr. Wade H. Ellis, of counsel for The United States, and Mr. W. W. Hastings, of counsel for the Cherokee Nation

Proclamation being made the Court is adjourned

Friday, December 2d, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. A. J. Kane, it is ordered that Ernest Poindexter, Esquire, of Walla Walla, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Russell Soley, it is ordered that Howard L. Dickinson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be

Eustace Cullinan and Hiram W. Johnson, Esquires, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Herrick, it is ordered that Francis Martin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

60. Marche Tiger, Plaintiff in Error, vs. The Western Investment Co. et al

On motion of Mr. S. J. Bledsoe, leave is hereby granted counsel for the defendants in error to file a supplemental brief herein on or before Monday next.

60 Marche Tiger, Plaintiff in Error, vs. The Western Investment Co. et al

330 David Muskrat et al., Appellants, vs. The United States

331 William Brown et al., Appellants, vs. The United States

The argument of these cases was continued by Mr. W. W. Hastings, of counsel for the Cherokee Nation, and concluded by Mr W. H. Robeson, of counsel for the appellants in Nos. 330 and 331.

61. Mary R. Trumble et al., Plaintiffs in Error, vs. Ida V. Hughes et al.

This cause was argued by Mr. William A. Gunter, of counsel for the plaintiffs in error, and Mr. T. Barron Grier, of counsel for the defendants in error.

14. Winslow Hart Reave, Second Lieutenant, &c., Plaintiff in Error, vs. Frederick C. Ainsworth, Major General, etc., et al.

The argument of this cause was commenced by Mr. Alexander S. Bacon, of counsel for the plaintiff in error.

Proclamation being made, the Court ad

Monday, December 5th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Daniel J. Kenefick, Esquire, of Buffalo, State of New York, and Edwin H. Cassels, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel McClay it is ordered that Edwin W. Smith, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. F. S. Perry, it is ordered that Charles B. Connolly, Esquire, of Philadelphia, State of Pennsylvania, and Edmund F. Driggs, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton Brusburger, it is ordered that Frank L. Mulholland, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Spalding Flannery, it is ordered that Arthur D. Foster, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Illinois Central Railroad Co., of the State of Illinois, Plaintiff in Error, vs. The Commonwealth of Kentucky — In Error to the Court of Appeals of the State of Kentucky.

16.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now

that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Hughes

380 The United States, Plaintiff in Error, vs. Fritz Augustus Heinze. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice McKenna

671 The United States, Plaintiff in Error, vs. Fritz Augustus Heinze. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript

States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, and that this cause be and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice McKenna.

207 Ricardo Aguado, Appellant, vs The City of Manila. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 23d, 1911, with cases Nos. 53 and 54, as one case.

Per Mr. Justice Harlan.

360 Fred Light, Appellant, vs The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 23d, 1911, after the cases heretofore assigned for

759.	Christopher C. Wilson, Plaintiff in Error vs. The United States	On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument immediately after Nos. 358 and 359.
760	Christopher C. Wilson, Appellant, vs. The United States	
788.	Christopher C. Wilson, Appellant, vs. The United States.	

Per Mr. Justice Harlan

13, Original	The State of Oklahoma, Complainant, vs. The Atchison Topeka & Santa Fe Railway Co.	It is ordered by the Court that these cases be, and the same are hereby, assigned for argument on Monday, January 16th, 1911, after the cases heretofore assigned for that day.
14, Original	The State of Oklahoma, Complainant vs. The Atchison, Topeka & Santa Fe Railway Co., et al	

Per Mr. Justice Harlan

260.	Stuart Lindsley, Appellant, vs. Natural Carbonic Gas Co., et al.	On consideration of the motion of counsel for The New York Carbonic Acid Gas Company et al., for leave to file a

argument. It is now here ordered by the Court that leave be, and the same is hereby, granted to file a printed brief herein, and that the motion for leave to participate in the oral argument be and the same is hereby, denied

per Mr. Justice Harlan

Ex parte: In the matter of The Mallory Steamship Co. Petitioner — On consideration of the motion for leave to file
Original

a petition for a writ of prohibition herein. It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

per Mr. Justice Harlan

Ex parte: In the matter of A. A. Bradford, Petitioner — On consideration of the motion for leave to file a petition for writs
Original.

of prohibition and mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Harlan

Ex parte: In the matter of Sobrinos de Ezquiaga, Petitioner — On consideration of the motion for leave
Original.

for a writ of prohibition or a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Harlan

744 John A. Kipper, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

747 Amanda C. Foster, Petitioner. vs. Luciana F. Boulo, Executrix and Devisee of Paul A. Boulo, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had,

said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

798. Frederick A. Hyde and Joost H. Schneider, Petitioners, vs. The United States. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Justice Harlan.

8, Original. Ex parte: In the matter of Athanasia Nicola, Petitioner. On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged, and that the petition be, and the same is hereby, dismissed.

per Mr. Justice Harlan.

Ex parte: In the matter of The Cudahy Packing Co., Petitioner.

11 Original

On consideration of the petition for a writ of mandamus herein, the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged, and that the petition be, and the same is hereby, dismissed.

per Mr. Justice Harlan

Mary R. Trimble, Emma R. Stolenwerck, Dora A. Royall et al., Plaintiffs in Error,
vs.
Ida V. Keugh, T. D. Ramage, J. D. Tooke et al.

61.

In Error to the Circuit Court of the United States for the District of South Carolina

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Harlan

93. Philadelphia & Reading Railway Co.,
vs. Plaintiff in Error,
The United States
Colorado & Northwestern Railroad Co.,
127. vs. Plaintiff in Error,
The United States.
Southern Railway Co.,
187. vs. Plaintiff in Error,
The United States.

Mr. Attorney General Wickersham, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance these cases for argument with case No. 88.

The Standard Oil Co.,
of New York,
775. vs. Petitioners,
The United States

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. D. J. Kenefick and Mr. Martin Carey in support of the same, and Mr. Attorney General Wickersham, Mr. Assistant to the Attorney General Kenyon, Mr. L. Wallace Dempsey and Mr Barton Corneau in opposition thereto.

Salvatore L. Rocca,
561. vs. Plaintiff in Error,
George F. Thompson.

On motion of Mr. Eustace Cullinan, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argu-

West Side Belt Railroad Co., et al.
688. vs. Plaintiffs in Error,
Pittsburgh Construction Co

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Samuel McClay and Mr. Edwin W. Smith in support of the same, and Mr. Thomas Patterson in opposition thereto.

The State of New Jersey,
772. vs. Petitioner
Franklin Trust Co. et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Arthur Lord in support of the same, and Mr. William N. Dunbar in opposition thereto.

Roland F. Quillin,
Claimant, etc.,
870. vs Petitioner.
Atlantic Mutual
Insurance Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. H. L. Cheyney in support of the same, and Mr. Edmund L. Baylies in opposition thereto.

782. National Surety Co., Petitioner, vs. Kansas City Hydraulic Press Brick Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank Hagerman in support of the same, and Mr. James S. Botsford in opposition thereto.

125. Clarence A. Venner, Plaintiff in Error, vs. The Chicago City Railway Co. et al. — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John P. Wilson in support of the same, and Mr. Elijah N. Zoline in opposition thereto.

14. Winslow Hurt Reaves, Second Lieutenant &c. Plaintiff in Error, vs. Frederick C. Ainsworth, Major General, &c., et al. — The argument of this cause was concluded by Mr. Assistant Attorney General Harr, of counsel for the defendants in error.

Ex parte: In the matter of Walter J. Gregory. 17 Original. Petitioner.

This cause was argued by Mr. John Hall Jones and W. Benton Sleeper of counsel for the petitioner, and Mr. Edward A. Thomas and Mr. William Henry White, of counsel for the respondent.

Chicago, Burlington & Quincy Railroad Co. et al. vs. Charles L. McGuire. 62. Plaintiffs in Error.

The argument of this cause was commenced by Mr. John J. Herrick, of counsel for the plaintiffs in error.

Proclamation being made the Court is ad-

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Associate Justices.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry M. Goldfogle, it is ordered that Sophus Dabeltein, Esquire, of Chicago, State of Illinois, and L. Silo Gottlieb, Esquire of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester I. Long, it is ordered that Joseph T. Lafferty and Ed. J. Fleming, Esquires of Winfield, State of Kansas, and Elliott B. Davis, Esquire, of San Francisco

as attorneys and counsellors of this Court. and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. S. Jackson, it is ordered that A. C. Mitchell, Esquire, of Lawrence, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Hagerman, it is ordered that C. W. Durbrow, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court. and he was sworn accordingly.

62. Chicago, Burlington & Quincy Railroad Co. et al., Plaintiffs in Error, vs. Charles L. McGuire.

The argument of this cause was concluded by Mr. John J. Herrick, of Counsel for the plaintiffs in error, and the cause was submitted on a printed argument by Mr. A. J. Baker, of counsel for the defendant in error. Leave was granted counsel for the plaintiffs in error to file a reply brief on or before Saturday, the 10th instant.

64. The Atlantic Gulf & Pacific Co. vs. The Government of the Philippine Islands — Appellant & Plff in Error.

This cause was argued by Mr. James Russell Soley, of counsel for the appellant and plaintiff in error, and Mr. Assistant Attorney General Denison, of counsel for the appellee and defendant in error.

66 The United States, vs. Lucinda Grizzard et al. — Plaintiff in Error.

This cause was argued by Mr. Assistant Attorney General John Q. Thompson, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

67 The Title Guaranty & Trust Co. of Scranton, Pennsylvania, vs. The Crane Co. et al — Plaintiff in Error, tiff in error.

The argument of this cause was commenced by Mr. James B. Murphy, of counsel for the plain

Proclamation being made, the Court is adjourned

Wednesday, December 7th, 1910.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes,
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Francis Burton Harrison, it is ordered that John F. Mueller, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Cummins, it is ordered that Carroll Wright, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

ordered that Leon Lauterstein, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. Berely Slater, it is ordered that John P. Rose, Esquire, of Macon, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. B. Ames, it is ordered that James A. Cotner, Esquire, of Ardmore, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Hagerman, it is ordered that George Eigel, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

60 Marchie Tiger, Plaintiff in Error,
vs.
Western Investment Co. et al
330. David Muskrat et al. Appellants,
vs.
The United States.
331. William Brown et al. Appellants,
vs.
The United States.

On motion of Mr. Wade H. Ellis, of counsel for The United States, leave is hereby granted him to file a supplemental brief in these cases.

604 The Merrimack River Savings Bank, Appellant,
vs.
The City of Clay Center, Kansas, et al

Mr. David W. Mulvane, of counsel for the appellant, submitted to the consideration of the Court a petition for a citation on certain of the appellees for contempt in this cause.

67 The Title Guaranty & Trust Co., of Scranton, Pennsylvania, Plaintiff in Error
vs.
The Crane Co. et al.

The argument of this cause was concluded by Mr. James B. Murphy, of counsel for the plaintiff in error, and the cause was submitted on a printed argument by Mr. Ira Bronson, of counsel for the defendants in error.

68 & 69 Julio Aybar, Appellant, vs. The People of Porto Rico. This cause was argued by Mr. Jackson H. Ralston, of counsel for the appellant and Mr. Paul Charlton, of counsel for the appellee, and leave was granted counsel for the appellee to file a printed brief herein on or before the 12th instant.

70. Dr John Hopkins, Plaintiff in Error, vs. The Clemson Agricultural College of South Carolina. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. T. Jaynes and Mr. Joseph A. McCullough, of counsel for the plaintiff in error, and Mr. James P. Carey, of counsel for the defendant in error.

71. The Noble State Bank, Plaintiff in Error, vs. C. N. Haskell et al. The argument of this cause was commenced by Mr. C. B. Ames of counsel for the plaintiff in error, and continued by Mr. Charles West, of counsel for the defendants in error.

Proclamation being made, the Court is ad-

Thursday, December 8th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E Hughes
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Chester I. Long, it is ordered that William A. Calderhead, Esquire, of Marysville, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles West, it is ordered that Cleophus W. McVickers, Esquire, of Woodward, Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Order.

It is ordered by the Court that the following correspondence be spread upon the minutes and Journal of the Court:

"Supreme Court of the United States
Washington, D.C. November 23, 1910

Dear Brother Moody: We cannot let you leave us without an expression of our deep regret. The too few years during which we sat together on the bench already had confirmed the prophecy of your arguments at the bar. They had proved that your unusual powers would be applied as faithfully and impartially to dispassionate decision as, when you were Attorney General, they had been devoted to an always lofty presentation of a cause. We grieve that the country so soon should lose services that it ill can spare and we companionship in which affection was joined to respect. But you have left a sample of your work in the reports, and, we believe, have earned the great reward — that the wise and good of the future, as well as of the present, will say it was well and nobly done.

John M. Harlan
E. D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day"

"We came to the bench of the Supreme Court after Brother Moody was compelled by sickness to lay aside active public work. But we have knowledge of his course of life, and of his judicial opinions, and concur most cordially in what is said in the above letter by those of his associates who served with him on the bench.

Horace H. Lurton.
Charles E. Hughes."

"1525 Eighteenth Street, N. W.
Washington, D.C. December 5, 1910.

My dear Brethren: I cannot let your letter go unanswered, but at this time I am unable fittingly to say more than that your words reach deep in my heart and mind and awaken there an intense gratitude to you all. With the expression of this and of my respect and affection for each individual member of the Court, I must be content.

Most sincerely, yours,
William H. Moody."

71

The Noble State Bank,
vs Plaintiff in Error,
Charles N. Haskell et al

The argument of this cause was continued by Mr. Charles West, of counsel for the defendants in error, and concluded by Mr. C. B. Ames, of counsel for

445 Ashton C. Shallenberger Governor, etc., et al., Appellants, vs. The First State Bank of Holstein, Nebraska, et al.

617 Nebraska State Bank of Nebraska et al., Appellants, vs. Joseph N. Dolley, Bank Commissioner, etc.

The argument of these cases was commenced by Mr. I. L. Albert, of counsel for the appellants in No. 445, and continued by Mr. Arthur F. Mullen, of counsel for the appellants in No. 445; Mr. John L. Webster, of counsel for the appellees in No. 445 and appellants in No. 617; Mr. Charles O. Wheedon, of counsel for the appellants in No. 445; Mr. F. S. Jackson, and Mr. A. C. Mitchell of counsel for the appellees in No. 617, and concluded by Mr. Chester I. Long, of counsel for the appellants in No. 617.

Proclamation being made, the Court is adjourned

Friday, December 9th 1910.

Pursuant to adjournment, the Court met to-day, at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes,
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that Albert Bettinger, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank S. Bright, it is ordered that S. L. Swarts, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be

N. Vick Robbins, Esquire, of Vicksburg, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Thomas N. Hill, Esquire, of Beaumont, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that F. D. Madison, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Henry Bowden, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Friday, December 9th. 1910, continued

	Southern Pacific Terminal Co. et al.	The argument of these cases was commenced by Mr. Maxwell Evarts, of counsel for the appellants; continued by Mr. Wade H. Ellis and Mr. Luther M. Walter, of counsel for the appellees and concluded by Mr. F. C. Dillard, of counsel for the appellants.
459	vs. Appellants,	
	The Interstate Commerce Commission et al	
	E. H. Young,	
460	vs. Appellant,	
	The Interstate Commerce Commission et al	

Proclamation being made, the Court is adjourned

Monday, December 12th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that James N. Sharp, Esquire, of Williamsburg, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Brock, it is ordered that Albin Leal Richards, Esquire, of Cambridge, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

dered that Walter H. Bond, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Coit, it is ordered that Edward A. Wright, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that William C. Day, Esquire, of Santa Barbara, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church, it is ordered that Durant Church, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

41. The City of Columbus, vs. Appellant, Mercantile Trust & Deposit Co. of Baltimore, Trustee, and The Columbus Water Works Co. and W. S. Greene as Receiver thereof. — Appeal from the Circuit Court of the United States for the Northern District of Georgia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill and grant the relief as prayed in the cross-bill.

(per Mr. Justice Lurton.

17 Jessie E. Thompson, vs. Plaintiff in Error, Charles N. Thompson — In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is

Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

Dissenting:
Mr. Justice Harlan
Mr Justice Holmes
Mr Justice Hughes

42. The City of Memphis, James A. Malone and George T. O'Haver, vs. Appellants, The Cumberland Telephone & Telegraph Co. — Appeal from the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Justice Day.

Dissenting:
Mr. Justice White
Mr Justice McKenna
Mr Justice Hughes

John F. Calder, David A. Crow, John E. More, Thomas N. Keogh and Willard Kingsley,
58 vs. Plaintiffs in Error,
The People of the State of Michigan, by the Attorney General, at the relation of George E. Ellis et al.

In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

The United States,
390 vs. Plaintiff in Error
Gustave E. Kissel and Thomas B. Hurned.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment

and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity to law.

per Mr. Justice Holmes.

39. Wilson R. Hunter, Plaintiff in Error, vs. Mutual Reserve Life Insurance Co., and William Hepburn Russell and Charles E. Ruchmore Receivers of The Mutual Reserve Life Insurance Co. — In Error to the Supreme Court of the State of New York

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice McKenna

514 Doris Griffith alias Doris Griffin, Plaintiff in Error, vs. The State of Connecticut. — In Error to the Supreme Court of Errors of the State of Connecticut

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut and on motion to

counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

Dorie Griffith alias Dorie Griffin,
515 vs. Plaintiff in Error,
The State of Connecticut

In Error to the Supreme Court of Errors of the State of Connecticut.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that judgment of the said Supreme Court of Errors in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

The Merrimack River Savings Bank,
604 vs. Appellant,
The City of Clay Center, Kansas, George W. Hanna, Mayor, et al.

On consideration of the petition of The Merrimack River Savings Bank, the appellant herein, It is now here ordered by the Court

be stayed until the further order of this Court, and that George W. Hanna, O. L. Slade, W. D. Vincent, S. D. Tripp, and George P. Randall, appellees herein, show cause before this Court on Tuesday, January 3d, 1911, at the City of Washington, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why, upon the grounds and for the reasons stated in the petition of The Merrimack River Savings Bank filed in this cause on December 7th, 1910, an attachment should not issue against them respectively for contempt of this Court and of its authority.

per Mr. Justice Harlan.

93 Philadelphia & Reading Railway Co. vs. Plaintiff in Error, The United States.

127 Colorado & Northwestern Railroad Co., vs. Plaintiff in Error The United States

185 Southern Railway Co., vs. Plaintiff in Error, The United States.

On consideration of the motion to advance these cases for hearing immediately after Nos. 88 and 329, It is now here ordered by the Court that said motion be, and the same is hereby, granted

per Mr. Justice Harlan

772. The State of New Jersey, Petitioner vs. Franklin Trust Co. et al — On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

773. The Standard Oil Co. of New York, Petitioner vs. The United States — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

National Surety Co., vs. Kansas City Hydraulic Press Brick Co. — Petitioner, — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

792.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Justice Harlan

Roland F. Quillin, Claimant of the Schooner "William J. Quillin," vs. Atlantic Mutual Insurance Co. — Petitioner, — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

810.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Justice Harlan

125. Clarence A. Venner, Plaintiff in Error, vs. The Chicago City Railway Co., et al. — In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Harlan.

68. Julio Aybar, Appellant, vs. The People of Porto Rico — Appeal from the Supreme Court of Porto Rico.

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Harlan

654 Julio Aybar, Appellant, vs. The People of Porto Rico. Appeal from the Supreme Court of Porto Rico.

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Harlan

Mr. Justice Harlan announced that the Court will take a recess from Monday, the 19th instant, to Tuesday, January 3, 1911.

656 The State of Minnesota ex rel. Palmer M. Larsen, Plaintiff in Error, vs. Hugh R. Scott, Auditor, &c. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Milton D. Purdy in support of the same, and Mr. Carl Strover in opposition thereto.

657 The Chesapeake & Ohio Railway Co., Plaintiff in Error, vs. William G. Conley, Attorney General, &c. The motion to dismiss or affirm in this cause was sub-

consideration of the court on the record and printed arguments by Mr. William G. Conley in support of the same, and Mr. F. B. Enslow, Mr. H. T. Wickham, and Mr. W. E. Chillon in opposition thereto.

The People of the State of New York, Complainant, vs. State of New Jersey et al. — The motion of the City of New York for leave to intervene in this cause was submitted to the consideration of the court on printed arguments by Mr. William A. Jackson in support of the same, and Mr. Joseph Court, Mr. Robert H. McCarter and Mr. Edmund Wilson in opposition thereto.

5 Original

Ex parte: In the matter of William W. Bierce, Limited, Petitioner — On motion of Mr. Frederic D. McKenney, of counsel for the petitioner,

14, Original

It is now here ordered by the court that the petition for a writ of mandamus herein be, and the same is hereby, dismissed.

per Mr. Justice Harlan.

E. M. Deck, Petitioner, vs. St. Louis & San Francisco Railroad Co. — On motion of Mr. Frederic D. McKenney, leave is hereby granted him to

88.

pearance herein as counsel for the petitioner

524 The First National Bank of Pittsburgh, Pennsylvania, vs. Appellant, Guarantee Title & Trust Co., Trustee in Bankruptcy of the Estate of Jonathan A. Perley, surviving partner under the firm name and style of Perley & Brothers, Bankrupt — Appeal from the United States Circuit Court of Appeals for the Third Circuit

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney, of counsel for the appellant, and he having moved the Court to dismiss this appeal in pursuance of a stipulation of counsel for the respective parties, Therefore, in pursuance of said motion and stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Harlan

505. Pabst Brewing Co., vs. Charles Thorley. — Petitioner — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. S. Gilbert and Mr. J. M. Mayer in support of the same, and Mr. Harold Nathan in opposition

816. Murray Corrington et al. vs. The Westinghouse Air Brake Co. (Petitioners) The petition for a writ of certiorari herein was submitted to the consideration of the Court upon printed arguments by Mr. William G. Choate in support of the same, and Mr. Thomas B. Kerr, Mr. J. Snowden Bell, and Mr. Edward A. Wright in opposition thereto.

477. George Godfrey Moore et al. vs. Security Trust & Life Insurance Co. (Petitioners) The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Robert Stone, Mr. D. K. Hite and Mr. James A. Troutman in support of the same.

387. Samuel D. Bronner, Treasurer, etc., vs. Standard Dredging Co. (Appellant) Mr. Paul Charlton, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Original. Ex parte: In the matter of George F. Harding, (Petitioner) The motion for leave to file a petition for a writ of mandamus

of the Court by Mr. George F. Harding and Mr. William J. Ammen in support of the same

508 William W. Bierce, Limited vs. William Waterhouse et al., Executors, &c. Plaintiff in Error

This cause was argued by Mr Frederic D. McKenney, of counsel for the plaintiff in error, and Mr. David L. Withington, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Tuesday, December 13th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Josiah M. Vale, it is ordered that Eugene B. Lawson, Esquire, of Nowata, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank P. Flint, it is ordered that Joseph Scott, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be-

Harold Gregory Donham, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Culberson, it is ordered that Hampson Gary, Esquire, of Tyler, and T. L. Camp and Jed C. Adams, Esquires, of Dallas, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Thomas O. Toland, Esquire, of Los Angeles, and Sylvester C. Smith, Esquire, of Bakersfield State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

527. The Southern Pacific Co., et al., Appellants, vs. Interstate Commerce Commission

This cause was argued by Mr. Maxwell Evarts of counsel for the appellants and Mr. Wade H. Ellis and Mr. Lucien M. Walter, of counsel for the appellee.

597. R. J. House, Plaintiff in Error, vs. Joel B. Mayes, Marshal, etc., et al

The argument of this cause was commenced by Mr. Frank Hagerman, of counsel for the plaintiff in Error,

and continued by Mr. Elliott W. Major, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, December 14th, 1910

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan,
Edward D. White,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Horace H. Lurton,
Charles E. Hughes,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk,

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. C. Bradley, it is ordered that James M. Chilton and Homer W. Balson, Esquires, of Louisville, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Rothermel, it is ordered that Philip S. Fisher and Thomas Yeager Snyder, Esquires, of Reading, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

behalf by Mr. Ernest W. Roberts, it is ordered that Henry C. Young, Esquire, of Malden, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Kincheloe, it is ordered that David P. Strickler, Esquire, of Colorado Springs, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that William F. Connolly, Edwin Henderson and P. J. M. Hally, Esquires, of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

547 R. J. Howe, Plaintiff in Error vs. Joel B. Mayer, Marshal, etc., et al

The argument of this cause was continued by Mr. Elliott W. Mayer, of counsel for the defendant in error, and concluded by Mr. Frank Hagerman, of counsel for the plaintiff in error.

548 Thomas J. Brodnax et al, Plaintiffs in Error, vs. The State of Missouri. This cause was argued by Mr. Frank Hagerman of counsel for the plaintiffs in error, and Mr. Elliott W. Major, of counsel for the defendant in error.

614 The Sac and Fox Indians of the Mississippi in Iowa, Appellants, vs. The Sac and Fox Indians of the Mississippi in Oklahoma and The United States. The argument of this cause was commenced by Mr. Charles H. Merillat, of counsel for the appellants.

Proclamation being made, the Court is adjourned

Thursday, December 15th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Charles N. Merillat, it is ordered that James R. Speer, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William L. Bennet, it is ordered that Samuel Schwartzberg, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

Charles Robert Pollard, Esquire, of Arkansas City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

78. The Government of His Majesty the King of Italy, etc., Appellant, vs. Girolamo Nerro alias Vincenzo Fudera.

On motion of Mr. Frederick W. McReynolds, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed per stipulation of counsel.

611. The Sac and Fox Indians of the Mississippi in Iowa, Appellants, vs. The Sac and Fox Indians of the Mississippi in Oklahoma and The United States.

The argument of this cause was continued by Mr Charles N. Merillat of counsel for the appellants; by Mr. Barry Mohun, of counsel for the appellee Indians, and by Mr. Assistant Attorney General John L. Thompson, of counsel for The United States, and concluded by Mr. Charles N. Merillat, of counsel for the appellants.

703. Morris Engel vs. Appellant, Edward R. O'Malley et al

The argument of this cause was commenced by Mr Charles Dushkind, of counsel for the appellant, and continued by Mr. Louis Marshall, of counsel for the appellees.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock

Friday, December 16th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
Edward D. White
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
} Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Melville Church, it is ordered that Edward C. Bradford, Jr., Esquire, of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank F. Reed, it is ordered that Edward Sidney Rogers, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

A. Bryans, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Watson, it is ordered that George B. Schley, Esquire, of Milwaukee, State of Wisconsin, and Andrew Jordan Grum, Esquire, of Fredericksburg, State of Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

703 Morris Engel. vs Appellant. Edward R. O'Malley et al

The argument of this cause was continued by Mr. Louis Marshall of counsel for the appellees and concluded by Mr. Charles Burkind, of counsel for the appellant.

260 Stuart Lindsley. vs Appellant. Natural Carbonic Gas Co., et al

It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Tuesday, January 3, 1911, at the head of the call for that day.

72. Dr. Miles Medical Co., vs. John D. Park & Sons Co. Petitioner. It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Tuesday, January 3, 1911, after case No. 260.

74. Chicago, Indianapolis & Louisville Railway Co., vs. The United States. Appellant. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. C. Field and Mr. N. R. Kurrie, of counsel for the appellant, and Mr. Attorney General Wickersham and Mr. Barton Corneau, of counsel for the appellee.

75. Fore River Shipbuilding Co., vs Selma J. Hagy. Plaintiff in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John Lowell and Mr. James A. Lowell, of counsel for the plaintiff in error, and Mr. Asa P. French, of counsel for the defendant in error.

77. The United States, vs Earl S. Chamberlin et al., Executors &c. Petitioner. This cause was argued by Mr. Assistant Attorney General Denison, of counsel

and by Mr. D. P. Stricklerof counsel for the respondents.

Proclamation being made, the Court is ad-

Monday, December 19th, 1910.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Dilworth P. Hibberd, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Duncan U. Fletcher, it is ordered that John S. Beard, Esquire, of Pensacola, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

Otis B. Drake, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Denning, it is ordered that James F. Campbell, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Murphy J. Foster, it is ordered that Corry M. Stadden, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. M. Phelps, it is ordered that Oscar F. Mareau, Esquire, of Manchester, State of New Hampshire, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Martin, it is ordered that Fred Leland Dale, Esquire, of Asheville, State of North Carolina, be admitted to practice as an

was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that Edgar N. Scott, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Robert L. Owen, it is ordered that Joseph C. Stone, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The State of Maryland, Complainant.
1, Original. vs.
The State of West Virginia.

On consideration of the preliminary report of the Commissioners and their request that the time for completing the surveys and filing the reports herein be extended to October 1st, 1911, It is now here ordered by the Court that the time for completing the surveys and filing the reports be, and the same is hereby, extended to October 1st, 1911.

Per Mr. Justice Harlan

Charles D. Campbell,
12. vs. Appellant,
Frederick Weyerhaeuser et al.

Frederick Weyerhaeuser et al.,
24. vs Appellants,
Herbert N. Hoyt

Northern Pacific Railway Co.,
181. vs. Plaintiff in Error,
Fred Ware and Pauline Ware, his wife.

It is ordered by the court that these cases be, and the same are hereby, restored to the docket for re-argument, and assigned for Monday, January 16, 1911, at the head of the call for that day.

per Mr. Justice Harlan.

The People of the State of New York,
5, Original. vs. Complainant,
State of New Jersey et al

On consideration of the motion for leave to the City of New York to intervene in this cause;

It is now here ordered by the court that said motion be, and the same is hereby, denied.

per Mr. Justice Harlan.

Samuel D. Gromer,
Treasurer of Porto Rico,
387. vs. Appellant,
Standard Dredging Co.

On consideration of the motion to advance this cause,

It is now here ordered by the court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 20, 1911.

586 The State of Minnesota ex rel. Jalmer M. Larsen, vs. Plaintiff in Error, Hugh R. Scott as Auditor of the County of Hennepin. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan

605 The Chesapeake & Ohio Railway Co., vs. Plaintiff in Error, W. G. Conley, Attorney General, et al. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause, be and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Justice Harlan

George Godfrey Moore and Oscar F. Nelson, as Moore & Nelson.
1177 vs. Petitioners.
Security Trust & Life Insurance Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan.

Pabst Brewing Co.,
805. vs. Petitioner.
Charles Thorley.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Justice Harlan.

816. Murray Corrington and The Corrington Air Brake Co. vs. The Westinghouse Air Brake Co. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

Mr. Justice Harlan said:

"Gentlemen of the Bar: The President of the United States has appointed Mr. Justice White, of this Court, Chief Justice of the United States, and the Senate has confirmed that appointment. His commission has been received and is in the hands of the clerk of the court, who will read and record the same. We extend to our Brother White a cordial welcome in his new position as the head of the court."

The clerk then read the commission, which is as follows:

William Howard Taft,

President of the United States of America

Know Ye; That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Edward Douglass White, of Louisiana, I have nominated and by and with the advice and consent of the Senate, do appoint him Chief Justice of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Edward Douglass White during his good behavior.

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Seal.

Given under my hand, at the City of Washington, the twelfth day of December, in the year of our Lord one thousand nine hundred and ten and of the Independence of the United States of America the one hundred and thirty fifth.

Wm. H. Taft.

By the President:

The oath of office was then administered to the Chief Justice by Mr. Justice Harlan, which oath is in the following words, viz:

Supreme Court of the United States
October Term, 1910.

I, Edward Douglass White, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Chief Justice of the United States according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.

Edward D. White.

Subscribed and sworn to before me this 19th day of December, A.D. 1910.

John M. Harlan,
Senior Associate Justice of Supreme Court of U.S.

No. 186. Julian Herencia, Plaintiff in Error, vs. Felix Guzman. In Error to the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the

cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of Porto Rico.

Per Mr. Justice Hughes.

59. Mobile, Jackson & Kansas City Railroad Company, Plaintiff in Error, vs. J. A. Turnipseed, Administrator of the Estate of Ray Hicks and Mary Alice Hicks, and next friend of Minnie Mary Hicks, et al. In Error to the Supreme Court of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Mississippi.

Per Mr. Justice Lurton.

The Atlantic, Gulf & Pacific Co., — vs. The Government of the Philippine Islands. — Appellant & Plaintiff in Error. — Appeal from and in error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

The Title Guaranty & Trust Co., of Scranton, Pennsylvania, — vs. The Crane Co., F. R. Bates and T. S. Clark, Copartners as Bates & Clark Co., et al — Plaintiff in Error. — In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this

to the Circuit Court of the United States for the Western District of Washington.

Per Mr. Justice Holmes.

Mr. Attorney General Wickersham then presented Mr. Frederick W. Lehmann, of Missouri, as Solicitor General of the United States, and it was ordered that his commission be recorded. Said commission is in the following words, viz:

William Howard Taft,

President of the United States of America,

To all who shall see these presents, Greeting:

Know Ye: That reposing special trust and confidence in the Integrity and Ability of Frederick W. Lehmann, of Missouri, I have nominated, and by and with the advice and consent of the Senate, do appoint him Solicitor General of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to law, and to have and to hold the said Office, with all the powers, privileges and emoluments thereunto of right appertaining, unto him, the said Frederick W. Lehmann.

In testimony whereof, I have caused these Letters to be made patent, and the seal of the Department of Justice to be hereunto affixed.

Given under my hand at the

Monday, December 19th 1910, continued

Seal.

Twelfth day of December, in the year of our Lord one thousand nine hundred and ten, and of the Independence of the United States of America the one hundred and thirty fifth.

Wm. H. Taft.

By the President:

Geo. W. Wickersham
Attorney General.

408 The United States. vs. Appellant. Leopold Baruch. Mr. Attorney General Wickersham, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

813 Frank A. McCoomber, et al., vs. Appellants, Alva A. Nicholson et al. The application for supersedeas pending this appeal and for leave to argue said application orally, or to advance the case was submitted to the consideration of the Court on printed arguments by Mr. B. F. Salinger in support of the same, and Mr. George Cosson in opposition to the application for supersedeas.

The First National Bank of Pittsburgh, Pa., Appellant, vs. Guarantee Title & Trust Co., Trustee, &c. 524. On motion of Mr. Frederic D. McKenney of counsel for the appellant leave is hereby granted the Clerk to issue the mandate in this cause.

Lizzie M. Troxell, Petitioner, vs. The Delaware, Lackawanna & Western Railroad Co. 823. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr George Demming in support of the same, and Mr. James F. Campbell in opposition thereto.

C. N. Rexford, Petitioner, vs. The Brunswick-Balke-Collender Co. 826. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Julius C. Martin in support of the same.

Nebert S. Apsey Receiver &c., Plaintiff in Error vs. George E. Kimball 132. Mr Noel W. Barksdale, of counsel for the defendant in error, suggested the death of George E. Kimball, the defendant in error, and moved the Court to make

said George E. Kimball deceased the party defendant in error. Whereupon, It is now here ordered by the Court that the said Sidney A. Wilbur, Executor of the estate of George E. Kimball deceased, be, and he is hereby, made the party defendant in error in this cause.

548. The United States. vs. Appellant, The Fidelity Trust Co., &c. Mr. Barry Mohun, of counsel for the appellee submitted to the consideration of the Court a motion to advance this cause.

1147. Samuel Loeb. vs. Plaintiff in Error, Henry Jennings, Chief of Police, etc. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William A. Kimball in support of the same, and Mr. Thomas B. Felder in opposition thereto.

Proclamation being made the Court is adjourned

Tuesday, January 3d, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

The Chief Justice said:

"It gives me pleasure to announce the appointment of Mr Willis Van Devanter, of Wyoming, and Mr. Joseph Rucker Lamar, of Georgia to fill the vacancies on this bench. The gentlemen are present and ready to take the oath. Their commissions will be read in the order named, and the oath administered accordingly."

The commissions were then read, and the oaths administered by the clerk, which commissions and oaths are as follows, viz:

The commission of Honorable Willis Van Devanter and oath of office of Honorable Willis Van De-

William Howard Taft,
President of the United States of America
To all who shall see these Presents, Greeting:
Know Ye; That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Willis Van Devanter, of Wyoming, I have nominated, and by and with the advice and consent of the Senate do appoint him Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto him, the said Willis Van Devanter during his good behavior.

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Seal

Given under my hand, at the City of Washington, the sixteenth day of December in the year of our Lord one thousand nine hundred and ten and of the Independence of the United States of America the one hundred and thirty fifth.

By the President:
George W. Wickersham,
Attorney General.

Supreme Court of the United States
October Term, 1910.—

I, Willis Van Devanter, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.

Willis Van Devanter

Subscribed and sworn
to before me this 3d day
of January, A. D. 1911.

James H. McKenney,
Seal Clerk of the Supreme Court
of the United States

The commission and oath of office of Honorable Joseph Rucker Lamar,—

William Howard Taft,

President of the United States of America,

To all who shall see these Presents, Greeting:

Know Ye: That reposing special trust and con-

ing of Joseph Rucker Lamar of Georgia, I have nominated, and by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Joseph Rucker Lamar, during his good behavior.

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Seal.

Given under my hand at the City of Washington, the seventeenth day of December, in the year of our Lord one thousand nine hundred and ten and of the Independence of the United States of America, the one hundred and thirty fifth.

Wm. H. Taft.

By the President:
George W. Wickersham,
Attorney General.

Supreme Court of the United States.
October Term, 1910.

I, Joseph Rucker Lamar, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.

Joseph Rucker Lamar

Subscribed and sworn
to before me this 3d day
of January, A. D. 1911

James H. McKenney.
Seal Clerk of the Supreme Court
of the United States

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that C. E. Thorn, and Albert J. Kenyon, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. K. Crowder, it is ordered that Lucius Lamar, Esquire, of Milledgeville, State of

and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tracy L. Jeffords, it is ordered that Emmet M. Sholwalter, Esquire, of Fairmont, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alton B. Parker, it is ordered that Berthald S. Horkheimer, Esquire, of New York City, and Charles C. Annabel, Esquire, of Waverly, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Burton B. Tuttle, it is ordered that Daniel W. Iddings, Esquire, of Dayton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. B. Dawes, it is ordered that Frank L. Williams, Esquire, of Clay Center, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that Bradford Butler, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

17. Ex parte: In the matter of Walter J. Gregory, Original Petitioner. On consideration of the petition for a writ of habeas corpus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged, and that said petition be, and the same is hereby, dismissed.

per Mr. Justice Hughes.

300 Alonzo Bailey, vs. Plaintiff in Error, The State of Alabama. In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be

said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Hughes

Dissenting:
Mr. Justice Holmes
Mr Justice Lurton.

77 The United States. vs. Petitioner Carl S. Chamberlin, D.N. Rice and Tyson S. Dines, as Executors of the last will and testament of Winfield Scott Stratton, deceased.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the District Court of the United States for the District of Colorado, with directions to overrule the demurrer of the defendants, and for further proceedings in conformity with the opinion of this Court.

66. The United States. vs. Plaintiff in Error. Lucinda Grizzard, William Grizzard, Mrs. Lila Chaney and Wilson Chaney. — In Error to the Circuit Court of the United States for the Eastern District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr. Justice Lurton

215. Atlantic Coast Line Railroad Co. vs. Plaintiff in Error, Riverside Mills — In Error to the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be modified by striking out the provision for an attorney's fee and, as so modified, be, and the same is hereby,

at the same rate per annum that similar judgments bear in the Courts of the State of Georgia.

per Mr. Justice Lurton

286. Louisville & Nashville Railroad Co., Plaintiff in Error, vs. N. P. Scott — In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lurton.

33. The Kentucky Union Co., Plaintiff in Error, vs. The Commonwealth of Kentucky. — In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day

47. The Eastern Kentucky Coal Lands Corporation, Plaintiff in Error, vs. The Commonwealth of Kentucky — In Error to the Court of Appeals of the State of Kentucky

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day

48. The Eastern Kentucky Coal Lands Corporation, Plaintiff in Error, vs. The Commonwealth of Kentucky — In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with cost.

Per Mr. Justice Day.

149. The Spokane & British Columbia Railway Co. vs. Plaintiff in Error, The Washington & Great Northern Railway Co., The Washington Improvement & Development Co., John Hughes et al. — In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

73 Fore River Shipbuilding Co., vs. Plaintiff in Error, Selma T. Hagg. — In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

71. The Noble State Bank, Plaintiff in Error, vs. C. N. Haskell, G. W. Bellamy, J. P. Connors, J. A. Menefee, M. E. Trapp and H. N. Snoot. In Error to the Supreme Court of the State of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

1445 Ashton C. Shallenberger, Governor of the State of Nebraska, Silas R. Barton, Auditor of Public Accounts of the State of Nebraska, et al., Appellants, vs. The First State Bank of Holstein, Nebraska, et al. Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of

the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of the Court.

Per Mr. Justice Holmes

Assaria State Bank of Assaria, Citizens Bank of Axtell et al., vs. Joseph N. Dolley as Bank Commissioner of the State of Kansas, and Mark Tully as State Treasurer of the State of Kansas. 617.

Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Holmes

703 Morris Engel, Appellant, vs. Edward K. O'Malley, Frank Moss, Clark Williams and William F. Baker. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

314 William Hendrix, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice McKenna

West Side Belt Railroad Co., Francis N. Skelding, and Henry W. McMasters, Receivers, vs. Pittsburgh Construction Co. — In Error to the Supreme Court of the State of Pennsylvania.

631. Plaintiffs in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

American Land Co., vs. Louis Zeiss — On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit.

230

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that both of the questions certified must be answered in the negative. Wherefore, It is now here ordered by the Court that it be so certified to the said United States Circuit Court of Appeals.

1144. The United States vs Plaintiff in Error James T. Barber, Sumner G. Moon et al. — In Error to the District Court of the United States for the District of Idaho.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

per Mr Chief Justice White

341. The United States, vs Plaintiff in Error, Press Publishing Co. — In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice White

147. Samuel Loeb, — vs. Plaintiff in Error, Henry Jennings, Chief of Police of the City of Atlanta. — In Error to the Court of Appeals of the State of Georgia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Georgia, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice White.

408. The United States vs. Petitioner, Leopold Baruch. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 10, 1911, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

[illegible] The United States, vs. Appellant, The Fidelity Trust Co., as Executor, etc. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and

for argument on Tuesday, October 10, 1911, after the cases heretofore assigned for that day.

per Mr. Chief Justice White.

823 Lizzie N. Troxell, Petitioner, vs. The Delaware, Lackawanna & Western Railroad Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr Chief Justice White

826 C. N. Retford, Petitioner vs. The Brunswick & Kelly-Collender Co., — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be and the same is hereby granted.

per Mr. Chief Justice White

Frank A. McComber et al.,
816 vs. Appellants,
Alva N. Nicholson et al.

On consideration of the motion for a supersedeas herein and for leave to argue the said motion orally, and the motion to advance this cause, It is now here ordered by the Court that said motions be, and the same are hereby, severally denied.

Per Mr. Chief Justice White

The Baltimore & Ohio Railroad Co.,
222 vs. Appellant.
The Interstate Commerce Commission.

Mr. Frederic D. McKenney, of counsel for the appellant, submitted to the consideration of the Court a motion to fix a day for the re-argument of this cause.

The City of New Orleans et al.,
833. vs Petitioners.
The Wakefield Sheet Piling Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Omer Villere and Mr. Edgar N. Farrar in support of the same.

A. F. Millan,
820. vs. Petitioner
Exchange Bank of Mannington

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments

and Mr. E. M. Showalter in opposition thereto.

Ex parte: In the matter of the State of Oklahoma, Petitioner — Mr. Joseph W. Bailey, of counsel for the petitioner, submitted to the consideration of the Court a motion to fix a day for the re argument of this cause.

9 & 10, Original

Stuart Lindsley, Appellant, vs. Natural Carbonic Gas Co., et al — The argument of this cause was commenced by Mr. Guthrie B. Stanley, of counsel for the appellant.

260

Proclamation being made, the Court is adjourned

Wednesday, January 4th. 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar. } Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. W. O. Bradley, it is ordered that Braddy Cary, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eben W. Martin, it is ordered that James M. Hodgson, Esquire, of Deadwood, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Needham, it is ordered that James W. Cochrane, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Stuart Lindsley, Appellant, vs. National Carbonic Gas Co. et al. — The argument of this cause was continued by Mr. Edgar T. Brackett, of counsel for the appellant, and Mr. Nash Rockwood, of counsel for the appellees, and concluded by Mr. Charles C. Lester, of counsel for the appellees.

260

Dr. Miles Medical Co., Petitioner, vs. John D. Park & Sons Co. — The argument of this cause was commenced by Mr. Frank F. Reed, of counsel for the petitioner, and continued by Mr. Alton B. Parker, of counsel for the respondent.

73

Proclamation being made, the Court is adjourned

Thursday, January 5th, 1911.

Pursuant to adjournment the court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
} Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the court is opened

72. Dr. Miles Medical Co., vs. John D. Park & Sons Co. — Petitioner.

The argument of this cause was continued by Mr. Alton B. Parker, of counsel for the respondent, and concluded by Mr. Frank F. Reed, of counsel for the petitioner

514. Nipolite Egg Co, Claimant &c., vs. The United States — Plff in Error & Appellant.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas E. Tannen and Mr. Edward J. Fenwick

and Mr. Assistant Attorney General Fowler, of counsel for the defendant in error and appellee.

536. The United States of America, Appellant, vs. Lehigh Valley Railroad Co.

537. The United States of America Appellant, vs. Erie Railroad Co.

538 The United States of America, Appellant vs. The Central Railroad Co. of New Jersey.

539. The United States of America, Appellant vs. The Pennsylvania Railroad Co.

These cases were argued by Mr. Wade H. Ellis, of counsel for the appellant, and Mr. John G. Johnson, of counsel for the appellee, and leave was granted counsel for the appellant to file an additional brief within five days.

735. The Baltimore & Ohio Southwestern Railroad Co., Plaintiff in Error, vs. The United States.

(plaintiff in error)

The re-argument of these cases was commenced by Mr. Edward Colston of counsel for the

(Proclamation being made, the Court is adjourned

Friday, January 6th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKinney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. James H. Hayden, it is ordered that George W. Hinckley, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William B. Hornblower, it is ordered that George L. Hornblower, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

662. Lawrence E. Sexton Trustee, etc., vs. Leopold Louis Dreyfus et al. Appellant,

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Wallace Macfarlane and Mr. George N. Gilman, of counsel for the appellant, and Mr. Frederic R. Coudert, of counsel for the appellees.

663. Lawrence E. Sexton Trustee, etc., vs. Lloyds Bank, Limited Appellant

This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. Wallace Macfarlane and Mr. George N. Gilman, of counsel for the appellant, and Mr. Rufus W. Sprague, Jr., of counsel for the appellee.

711. J. L. Roughton, vs. Harry L. Knight. Plaintiff in Error,

This cause was submitted to the consideration of the Court pursuant to the 20 rule, on the record and printed arguments by Mr. E. O. Miller, Mr. E. D. F. Brady and Mr. W. P. Fennell, of counsel for the plaintiff in error, and Mr. L. D. Luckett and Mr. Charles R. Pearce, of counsel for the defendant in error.

Friday, January 6th 1911, continued

788. The Baltimore & Ohio Southwestern Railroad Co., Plaintiff in Error, vs. The United States

The re-argument of these cases was continued by Mr. Edward Colston of counsel for the plaintiff in error, and Mr Assistant Attorney General Denison, of counsel for the defendant in error, and concluded by Mr. Edward Colston, of counsel for the plaintiff in error.

118 The United States, Appellant, vs The American Tobacco Co. et al

119 The American Tobacco Co. et al., Appellants, vs The United States.

On motion of Mr Attorney General Wickersham, It is ordered by the Court that twelve hours be allowed for the re argument of these cases.

115. The United States, Appellant, vs. The American Tobacco Co. et al.

114 The American Tobacco Co. et al., Appellants, vs The United States.

The re-argument of these cases was commenced by Mr. J. C. McReynolds, of counsel for The United States

Proclamation being made, the Court is adjourned

Monday, January 9th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day — Associate
Horace H. Lurton — Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Howard N. Williams, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that William J. McNally, Esquire, of New Richmond, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday, January 9th, 1911, continued

On motion first made to the Court in this behalf by Mr Horace Andrews, it is ordered that Richard Inglis, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that Frederic R. Whippler, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel H. Piles, it is ordered that Livingston B. Stedman, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that John M. Nolan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly:

On motion first made to the Court in this behalf by Mr. Cole L. Blease, it is ordered

State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Kappler, it is ordered that Elmer E. Pridstead, Esquire, of Pawhuska, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank B. Kellogg, it is ordered that George W. Markham, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. James N. Hardlee, it is ordered that Clarence I. Sullman, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. C. McReynolds, it is ordered that Charles Paul Brown and George Carroll Todd, Esquires, of New York City, be admitted to practice as attorneys and counsellors of

On motion first made to the Court in this behalf by Mr. R. W. Young, it is ordered that Henry N. Kolapp, Esquire, of Ogden, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Winslow Hart Reaves, Second Lieutenant, Artillery Corps, U. S. Army, Plaintiff in Error, vs. Frederick C. Hinesworth, Major General, Military Secretary, &c., et al

In Error to the Court of Appeals of the District of Columbia

114

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna

R. J. House, Plaintiff in Error, vs. Joel B. Mayes, Marshal of Jackson County, Missouri, and Elliott W. Major, Attorney General

In Error to the Supreme Court of the State of Missouri

59

of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan

Thomas J. Brodnax and Frank E. Essex, Plaintiffs in Error, vs. The State of Missouri — In Error to the Supreme Court of the State of Missouri

598

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan

Order.

There having been a Chief Justice and three Associate Justices of this Court appointed since the last allotment of the Chief Justice and Associate Justices among the circuits, Therefore, in pursuance of Section 606 of the Revised Statutes, It is now here ordered by the Court

and the Associate Justices among the Circuits be, and the same is hereby made, and that such allotment be entered of record, viz:

For the First Circuit, Oliver Wendell Holmes, Associate Justice
For the Second Circuit, Charles E. Hughes, Associate Justice
For the Third Circuit, Horace H. Lurton, Associate Justice
For the Fourth Circuit, Edward D. White, Chief Justice
For the Fifth Circuit, Joseph R. Lamar, Associate Justice
For the Sixth Circuit, John M. Harlan, Associate Justice
For the Seventh Circuit, William R. Day, Associate Justice
For the Eighth Circuit, Willis Van Devanter, Associate Justice
For the Ninth Circuit, Joseph McKenna, Associate Justice

per Mr. Chief Justice White.

Ex parte: In the matter of the State of Oklahoma. Petitioner
9, Original
Ex parte: In the matter of the State of Oklahoma, Petitioner
10, Original

On consideration of the motion to fix a day for the re argument of these cases, It is now here ordered by the Court that the cases be assigned for argument on Monday, February 20, 1911, after the case heretofore assigned for that day.

per Mr. Chief Justice White.

The Baltimore & Ohio Railroad Co., Appellant
222 vs
The Interstate Commerce Commission

On consideration of the motion to fix a day for the re argument of this cause, It is now here ordered

cause be assigned for argument on Monday, February 20, 1911, after the cases heretofore assigned for that day.

Per Mr Chief Justice White

820. N. F. Millan, vs. Exchange Bank of Mannington etc. Petitioner

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

Per Mr. Chief Justice White

833. The City of New Orleans and The Sewerage and Water Board of New Orleans, vs. The Wakefield Sheet Piling Co. Petitioners

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of

well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby denied.

per Mr. Chief Justice White

Mr. Attorney General Wickersham presented to the Court the following resolutions:

Resolved: That the members of the Bar of the Supreme Court desire to express their profound regret at the death of Melville Weston Fuller, Eighth Chief Justice of the United States, and to record their high appreciation of his life and character and of his conspicuous and faithful service to his country.

Born in the State of Maine, he went to Chicago at the age of twenty-three, when that great City was in its infancy, and there entered upon his long and distinguished professional career, which culminated in his elevation to the most exalted judicial station in our government.

He secured the advantages of an academic and classical education at Bowdoin College, and always retained the habits and tastes of the student and scholar.

He was a man of the most extensive and varied reading in the profession, in governmental and political discussion and in general literature.

He rapidly achieved a commanding position

of his adoption, and for thirty two years carried on an extended and diversified practice in the courts of his State; nor did he infrequently appear before the great tribunal over which he afterwards, and for twenty-two years presided with such marked ability and distinction.

He was a man of singular beauty and purity of character.

While he was at the bar no one harbored a suspicion that the exigency of forensic controversy, in which he was almost constantly engaged, could ever tempt him to aught that was unfair or unworthy of the highest ideals of a noble and honorable profession.

As Chief Justice it is enough to say that with conspicuous fidelity he fully and consistently maintained the best traditions of that high office. He took a deep interest in the efforts to secure peace between nations by international arbitration, and was appointed by our Government to membership in the Permanent Court established in 1899 by the First Peace Conference, and served in that capacity.

His character was marked by a gentle courtesy and consideration which constantly illuminated and attended upon the discharge of his important public duties, always marked his relations with the Bar, and earned that popular confidence which goes out to him whom the people believe to be a merciful and

Judge.

All this he was; and, endowed by nature with talents not inferior to those of his predecessors, possessed of attainments, training and experience adequate to the exacting requirements of his great office, he filled it at all times in such a manner as to command the admiration and respect of the Bar and the grateful appreciation of his countrymen.

On the morning of July 4th last, at his beautiful summer home, on the soil of the State in which he was born and to which he remained always deeply attached, his long, useful and honorable life ended; and when the sad announcement was made, we who had practiced in the great tribunal where he so long presided felt a deep sense of personal loss and personal bereavement that he had gone from us forever.

Resolved, also: That the Attorney General be asked to present these resolutions to the Court and to request that they be inscribed upon its permanent records.

And that the Chairman of this meeting be requested to transmit a copy of the Resolutions to the family of the late Chief Justice and an expression of our sincere sympathy with them in the great and irreparable loss which they have sustained.

The Attorney General then said:

On the last day of the last term of this

of the bar and observations in commemoration of Mr Justice Brewer, spoke sadly of the procession of his brethren who had passed before him to their reward. "They were all men of shrewd ability of untiring industry, and of intense devotion to duty, but they were not alike; they differed, 'as one star differeth from another star in glory'."

A few days later, and he too joined that procession, leaving but one survivor of that body of great judges - Miller, Field, Bradley, Harlan, Matthews, Gray, Blatchford and Lamar over which he was called to preside, when he succeeded Chief Justice Waite in October, 1888.

"The oldest members of this court," said Mr Justice Miller in speaking of Chief Justice Waite, "know of no one who was better fitted to discharge the administrative duties of the office of its Chief Justice, or who ever did so with more acceptability to his associates and to the public at large". (126 U. S. Appx.).

Mr. Waite's successor was to fully earn a like encomium. He was peculiarly fitted to the discharge of those duties. As the presiding officer and spokesman of the court, during his long incumbency, his gentle, dignified bearing and kindly considerate manner won for him the sympathetic appreciation of the bar, and the respect and affection of his associates.

Campbell wrote of Lord Eldon, "Among his qualifications for the judgment seat must be

* * * * * * * * *

These attributes in a judge are entirely consistent with the possession of a discriminating intellect, clear perceptions and decisiveness of character. They tend to the preservation of that relation of cordial respect which must exist between bench and bar, in order that the court may get from the bar the advantage of clear, temperate, candid statement, and the bar may feel assured of patient hearing and thorough comprehension by the court.

The life of a Justice of this court is one of unremitting toil. The creation of the Circuit Courts of Appeal in 1891 afforded it but temporary relief. Only by the most arduous labor has the Court been able to keep measurably abreast of the business which the expanding exercise of Federal power has brought upon its docket. The period of Chief Justice Fuller's incumbency was one of unprecedented national growth. Even the twenty years following the Civil War did not give rise to the great number and variety of new questions which have been pressed upon the Court since the year 1888.

The attempt to solve by legislation economic questions resulting from our industrial growth, of which the income tax law, the bankruptcy law of 1898, the acts concerning carriers in interstate commerce, the law

the meat inspection laws, the Food and Drugs Act, the tea inspection law and the oleomargarine laws, the Chinese exclusion acts and the other immigration and naturalization laws are illustrative, have required this court to construe and apply with patient study and statesmanlike comprehension the principles of the Federal Constitution, in the effort to preserve inviolate the dual nature of our governmental system; not hesitating to assert the paramountcy of the national government over those subjects where the Constitution declares it to be supreme, nor to check the usurpation by Federal authority of those powers which, not being expressly or by implication delegated to the general government, are reserved "to the states respectively or to the people."

The war with Spain made us a world power and brought to the decision of this court novel questions as to the relations of our government to territory acquired by conquest or purchase. In dealing with all of these great questions Chief Justice Fuller played no inconsiderable role. During his twenty two years of service he wrote eight hundred and twenty-nine opinions, of which but twenty-nine expressed the views of a minority of the court. He wrote the opinion of the court in the Behring Sea cases (In re Cooper, 143 U.S.,

Sherman anti-trust law (United States vs. Knight, 156 U.S., 1), and in one of the latest - the so-called Danbury hatter's case (Lowe vs. Lawlor, 208 U.S., 274); in the income tax cases, (Pollock vs. Farmers Loan and Trust Co., (157 U.S., 429; 158 U.S., 601); in Kansas vs. Colorado (185 U.S., 125); in the case arising under the first safety appliance law (Johnson vs. Southern Pacific Co. 196 U.S., 1), and in the contempt proceedings against the Sheriff of Chattanooga, Tennessee and his deputies (United States vs. Shipp, 214 U.S., 386.)

He wrote dissenting opinions in the case of Mormon Church v. United States (136 U.S., 1), where he denied the power of Congress to enact the law of February 19, 1887, repealing the charter of the Mormon Church and directing legal proceedings to be taken to wind up its affairs and dispose of its property; in the Chinese exclusion case (Fong Yue Ting v. United States, 149 U.S. 698.), and in the case of the United States vs. Wong Kim Ark (169 U.S. 649), where the court held that a child of Chinese parents born in the United States became at birth a citizen of the United States; in the Lottery case (188 U.S., 321; in the Insular cases, (Dooley v. United States, 183 U.S., 151); and he concurred in the dissenting opinion of Mr. Justice Lamar in In re Neagle (135 U.S., 1), the case in which it was held that petitioner, a deputy

ing an assailant of a justice of this court whom he had been detailed to protect from violence; in the dissenting opinion of Mr. Justice White in the Northern Securities case (193 U. S., 197); and in the dissenting opinion of Mr. Justice Brewer, in Hale vs. Henkel (201 U. S., 43).

It is difficult to select from the great volume of Chief Justice Fuller's contributions to the work of this court those of his opinions which but illustrate the extent of his learning and the nature of his acumen, without unduly extending these remarks.

Chief Justice Fuller's opinions are all characterized by a simple lucidity of statement and a directness of reasoning free from subtlety. His mind naturally tended to resist the broadening application of Federal control over subjects which until recent years had been left entirely to State regulation.

"In my opinion," he wrote in the Mormon Church case (136 U. S., 1, 67), "Congress is restrained, not merely by the limitations expressed in the Constitution, but also by the absence of any grant of power, expressed or implied, in that instrument. . . . . I regard it of vital consequence that absolute power should never be conceded as belonging under our system of government to any one of its departments. The legislative power of Congress is

limited. I agree that the power to make needful rules and regulations for the territories necessarily comprehends the power to suppress crime; and it is immaterial even though that crime assumes the form of a religious belief or creed. Congress has the power to extirpate polygamy in any of the Territories, by the enactment of a criminal code directed to that end; but it is not authorized under the cover of that power to seize and confiscate the property of persons, individuals or corporations, without office found, because they may have been guilty of criminal practices.

"The doctrine of cy-près is one of construction and not of administration. By it a fund devoted to a particular charity is applied to a cognate purpose, and if the purpose for which this property was accumulated was such as has been depicted it cannot be brought within the rule of application to a purpose as nearly as possible resembling that denounced. Nor is there here any counterpart in Congressional power to the exercise of the royal prerogative in the disposition of a charity. If this property was accumulated for purposes declared illegal, that does not justify its arbitrary disposition by judicial legislation. In my judgment, its diversion under this act of Congress is in contravention of specific limitations in the Constitution, unauthorized, expressly or by implication, by any of its provisions,

that the legislative power of the United States as exercised by the agents of the people of this republic is delegated and not inherent."

Chief Justice Fuller wrote the opinions of the court in deciding a number of controversies between States of the Union, (Kansas vs. Colorado — 185 U. S. 125); Virginia vs. West Virginia, 206 U. S. 290; Louisiana vs. Mississippi, 202 U. S. 1), and in the prize cases which resulted from the Spanish War, (The Carlos F. Roses, 177 U. S., 655; The Pedro, 175 U. S., 354; The Benito Estenger, 176 U. S., 558; the Manila Prize cases, 188 U. S. 254; the Lafonita Maria Teresa, 188 U. S., 283). In the case of Ponce vs. Roman Catholic Church, (210 U. S., 296), by an interesting historical review, he sustained the proposition that the Roman Catholic Church in Porto Rico was a juridical person, whose property was entitled to protection under the terms of the treaty between the United States and Spain.

The Talmud compares the study of the law to a huge heap of dust that is to be cleared away: "The foolish man says, 'it is impossible that I should be able to remove this immense heap. I will not attempt it;' but the wise man says, 'I will remove a little today, some more tomorrow, and more the day after, and thus in time, I shall have removed it all.'" It was in this spirit that Chief Justice Fuller toiled during the years that he presided over this Court.

importance save in so far as it keeps ever burning the sacred lamp of justice to lighten the footsteps of men. But the labors of this tribunal are essential to the preservation of the liberties of a free people. In the largest proportion of causes submitted to its judgment every decision becomes a page of history, and may become part of a rampart against anarchy. To this court men look for the maintenance of those rights which our forefathers wrung from a reluctant monarch at Runnymede eight hundred years ago, which are now embodied in the Constitution of the United States, and which are as essential to the protection of the citizen against the tyranny of a hydra-headed tyrant of the future as they were against the monarchs of the past.

The labors of the eighth Chief Justice are over, and his work in this court is submitted to the judgment of men. As he said of Justice Brewer, "He died suddenly, but not the unprepared death from which we pray to be delivered," and having finished his course in faith he doth now rest from his labors.

The Chief Justice responded:

"Mr. Attorney General:— The resolutions which you present are consoling, since they show how poignantly our brethren of the Bar share with us the sorrow caused by the death of our cherished and venerated Chief Justice. When the shadow which the bereavement resulting from his loss

us it considered the resolutions are additionally consoling, since they strengthen our conviction that, whatever may be our infirmities, we may always rely upon the generous judgment of our brethren of the Bar if only we bring to the discharge of our duties the singleness of purpose which ever characterized the judicial labors of our late Chief Justice.

Those labors find an enduring memorial in the reported decisions of the Court rendered during the long period of his service. Their potency, whether in enforcing and protecting individual right or in perpetuating representative government by upholding our constitutional institutions, have passed beyond the influence of praise or blame. They have become the heritage of his countrymen, for whose good he labored with untiring devotion.

The darkness of the valley of the shadow of death yet so obscures vision as to render it impossible for me to attempt now to fix the record of the labors of the Chief Justice or to define with accuracy the scope of the blessings to his countrymen and to mankind which have arisen from his work. I therefore do not attempt to supplement the brief statement on that subject which you, Mr. Attorney General, have so eloquently made. So, also, I shall forbear to comment upon the wide attainments of the late Chief Justice, his engaging literary fancy, his great humility

principles. I leave these special attributes, as well as the wider considerations which would be required to be taken into view in order to symmetrically analyze the judicial work of the late Chief Justice, not only because some other occasion would be more appropriate and some more masterful hand than mine be required to do justice to those subjects, but also because my purpose now is only briefly to refer to some of the more endearing and admirable personal traits of the Chief Justice which were manifested to those associated with him in judicial labor, and at the same time to mark the attributes from which those traits were derived and sustained.

Briefly those qualities were his untiring attention to his judicial duties and the dedication which he made to the efficient and wise performance of those duties of every intellectual and moral power which he possessed; his love of justice for justice's sake; his kindness, his gentleness, associated, however, with a courage which gave him always the power fearlessly to do what he thought was right, without fear or favor. The source whence these endearing and noble qualities were derived was not far to seek. It was faith in the power of good over evil; faith in the capacity of his fellow men for self government; faith in the wisdom of the fathers of our institutions; faith, unshaken faith in

government which they established and its adequacy to protect the rights and liberties of the people. And, above all, there was an abounding faith in Divine Providence, the faith of a Christian which dominated his being and welded all his faculties into an harmonious whole, causing his nature to be resonant with the melody of hope and charity, which made him what he was, a simple, kindly, generous, true, brave and devoted public servant, treading with unswerving step the path of duty until the tender voice of the All Wise and Merciful Father called him from labor to rest, from solicitude to peace, and to his exceeding and enduring reward.

Mr. Attorney General, The resolutions of our brethren of the bar will be made a part of the records of the Court. In making this order, the thought comes unbidden to the mind that if there be in the future, by either the Bench or the Bar, a failure to discharge duty because of the want of an honest effort to do so, the resolutions will become the test of our moral inefficiency and be a relentless instrument for our condemnation. But the shadow created by these misgivings is at once dispelled by our conviction that although the Chief Justice has gone before, yet doth he abide with us by his precept and example, which I cannot refrain from hoping will be a spiritual beacon leading both Bench and

powers to the complete discharge of their whole duty. Ah! In the luminosity afforded by that example and precept, and with the benign vision given by that faith which is the proof of things unseen, may the hope not be indulged in that the result of such a consecration to duty will enable us to behold a continued righteous administration of justice, a preservation of our constitutional government, the fructification of all the activities of our vast country for the benefit of the whole people, the abiding of tranquility and happiness in all the homes of our land, and the continued enjoyment by all our countrymen of individual liberty restrained from license and safeguarded from oppression.

The Resolutions of the Bar and the remarks of the Attorney General will be spread upon the Minutes, and any other tributes that may be received will be placed upon the files."

The United States, Appellant, vs. The Reading Co. et al. 846.

Mr. Solicitor General Lehmann, of counsel for the appellant, submitted to the consideration of the Court, a motion to advance this cause.

No. 335. Frank Howe et al., Petitioners, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frank Hagerman, Mr. Wade H. Adams and Mr. James S. Botsford in support of the same, with leave to the Solicitor General to file a brief in opposition thereto within three days.

No. 214. De Witt C. Hillyard, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Willon J. Lambert in support of the same, and Mr. Assistant Attorney General Fowler in opposition thereto.

No. 345. William N. Gray, Petitioner, vs. Allen W. Field et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Horace G. Stone in support of the same, and Mr. S. S. Gregory, Mr. Jacob Newman, Mr. S. O. Levinson, Mr. B. V. Bekker and Mr. C. A. Poppenhusen in opposition thereto.

The Louisville & Nashville Railroad Co.,
211 vs. (Plaintiff in Error)
Erasmus L. Moody, et ux.

This cause was submitted to the consideration of the Court pursuant to the 20th rule on the record and printed arguments by Mr. Henry L. Stone, of counsel for the plaintiff in error and Mr. Louis McQuown, of counsel for the defendants in error.

La Compagnie Generale Transatlantique, Owner, &c.,
845. vs. Petitioner,
The Baltimore & Ohio Railroad Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Joseph P. Nolan in support of the same, and Mr. Frederick M. Brown in opposition thereto.

L. Wash. Hunter,
142. vs. Plaintiff in Error,
The State of South Carolina

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. Fraser Lyon in support of the same, and Mr. John L. Capers, Mr. Coleman L. Blease, Mr. Joseph D. Wright, and Mr. William K. Andrews in opposition thereto.

Edward J. Schurmeier et al, Executors &c.
vs. Petitioners.
The Connecticut Mutual Life Insurance Co.

The motion to dismiss the petition for writ of certiorari herein for want of jurisdiction was submitted to the consideration of the Court on a printed argument by Mr. George W. Markham, Mr. James E. Markham and Mr. John B. Sanborn in support of the same.

118. The United States.
vs. Appellant,
The American Tobacco Co. et al.
The American Tobacco Co., et al.,
119. vs. Appellants,
The United States

Company.

The re argument of these cases was continued by Mr. J. C. McReynolds, of counsel for The United States, and Mr. Delancey Nicoll, of counsel for The American Tobacco

Proclamation being made the Court is ad-

Tuesday, January 10th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Ignacio Villamor, Esquire, of Manila, Philippine Islands, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Culberson, it is ordered that Barry Miller, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

113	The United States, Appellant, vs The American Tobacco Co. et al.	The reargument of these cases was continued by Mr. DeLancey Nicoll and Mr. John G. Johnson, of counsel for The American Tobacco Company, and Mr. William D. Hornblower, of counsel for The Imperial Tobacco Company
114	The American Tobacco Co., et al., Appellants, vs The United States	

Proclamation being made, the Court is ad

Wednesday, January 11 th. 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar,
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. William Sulzer, it is ordered that William Willett, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Bride, it is ordered that Rafael Del Pan Fontela, Esquire of Manila, Philippine Islands, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Miles Poindexter, it is ordered that O. C. Moore, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Elmer E. Grinstead, it is ordered that Hiram D. White, Esquire, of Pawhuska, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. William B. Hornblower, it is ordered that George A. Clement, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Government of His Majesty The King of Italy, through A. Raybaudi Massiglia, its Consul General at New York,

vs. Appellant,

Girolamo Akaro, alias Vincenzo Fudera.

Appeal from the Circuit Court of the United States for the Southern District of New York.

78.

counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

118 The United States, Appellant, vs. The American Tobacco Co. et al.

119 The American Tobacco Co., et al., Appellants, vs. The United States.

The re argument of these cases was continued by Mr. William B. Hornblower, of counsel for The Imperial Tobacco Company, Mr. Junius Parker, of counsel for The American Tobacco Company, Mr. Sol. M. Stroock, of counsel for the United Cigar Stores, and Mr. Attorney General Wickersham, of counsel for The United States.

Proclamation being made, the Court is adjourned

Thursday, January 12th, 1911.

Pursuant to adjournment, the Court met to day at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Robert C. Cooley, Esquire, of Springfield, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W. W. Bride, it is ordered that Manuel L. Quezon, Esquire, of Tabayas, Philippine Islands, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church, it is ordered that Warren N. Small, Esquire, of New York City and Arthur N. Buel, Esquire, of Schenectady, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Russell, it is ordered that David Jetfidger, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

118 The United States, Appellant, vs. The American Tobacco Co., et al. The American Tobacco Co. et al., Appellants, vs. The United States. 119.

The re argument of these cases was concluded by Mr. Attorney General Wickersham, of counsel for The United States.

318. Standard Oil Co. et al., Appellants, vs. The United States.

On motion of Mr. Attorney General Wickersham, It is ordered by the Court that six hours be allowed to each side in the reargument of this case.

Thursday, January 12th, 1911, continued

398 Standard Oil Co., et al., Appellants, vs. The United States. The re argument of this case was commenced by Mr. John G. Milburn, of counsel for the appellants.

Proclamation being made, the Court is ad

Friday, January 13th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day, Associate
Horace H. Lurton, Justices.
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham it is ordered that James Clarence Denton, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it was ordered that Henry T. Ferris, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank W. Hackett, it is ordered ~~by the Court~~ that Paul J. Sherwood, Esquire, of Wilkes Barre, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. W Bonynge, it is ordered that William L. Dayton, Esquire, of Denver, State of Colorado be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. W. Iddings, it is ordered that C. W. Dustin, Esquire, of Dayton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Burr, it is ordered that Monroe Buckley, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

398.	Standard Oil Co., et al., Appellants, vs. The United States	The re argument of this cause was continued by Mr. John G. Milburn, of counsel for the appellants, and Mr. Frank B. Kellogg, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Monday, January 16th 1911

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar. Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKinney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that John Philip Hill, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Joseph V. Graff, it is ordered that William Wallace Whitmore, Esquire, of Bloomington, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. V. Lindabury, it is ordered that Harry F. Stambaugh, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert A. Burton, it is ordered that George W. Burton, Esquire, of Peoria, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank W. Hackett, it is ordered that Edward D. Robbins, Esquire, of New Haven, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

508. William W. Bierce, Limited, Plaintiff in Error, vs. William Waterhouse and Albert Waterhouse, Executors under the will and of the estate of Henry Waterhouse, deceased — In Error to the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Ter-

Our consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to set both of its judgments aside and affirm the judgment of the trial Court in favor of the plaintiff, William W. Pierce, Limited

per Mr. Justice Lurton

56. German Alliance Insurance Co. vs. Foster K. Hale, Jr. — Plaintiff in Error, In Error to the Circuit Court of the United States for the Southern District of Alabama

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Alabama.

per Mr. Justice Harlan

142. G. Wash. Hunter, vs. The State of South Carolina. Plaintiff in Error. In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White

846. The United States, vs. The Reading Co., et al. Appellant. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 10, 1911, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

824. De Witt C. Hillegas, vs. The United States. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

835. Frank Horn, Elisha N. Horn, Raymond P. May and S. H. Snider, Petitioners, vs The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

845 La Compagnie Generale Transatlantique, Owner of the Steamship "La Bretagne," her engines, etc., Petitioner, vs The Baltimore & Ohio Railroad Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

848 William H. Gray, Petitioner, vs. Allen W. Field, Jesse W. Strode and Addison Tibbets. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

350 Edward Schurmeier, Herbert C. Schurmeier, and Emma A. Miller as Executors of the last will and testament of John N. Schurmeier, deceased, Petitioners, vs. The Connecticut Mutual Life Insurance Co. On consideration of the motion to dismiss the petition for a writ of certiorari herein for want of prosecution, and of the argument of counsel

by the Court that said petition be, and the same is hereby, dismissed for the want of prosecution.

per Mr Chief Justice White.

Diamond Rubber Co., of New York,
36. vs Petitioner,
Consolidated Rubber Tire Co., et al

On motion of Mr. Charles W. Stapleton, of counsel for the respondents, It is ordered by the Court that this cause be, and the same is hereby, assigned for re-argument on Monday, February 20th next, after the cases heretofore assigned for that day.

The United States,
433. vs Plaintiff in Error,
O. A. Johnson

On motion of Mr. Assistant Attorney General Denison, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, February 20th next, after the cases heretofore assigned for that day.

No. 492 See p. 346

Comptograph Co.,
843 & 844. vs. Petitioners
Burroughs Adding Machine Co.

The petitions for writs of certiorari herein were submitted to the consideration of

Monday, January 16th, 1911, continued

arguments by Mr. John W. Munday in support of the same, and Mr. Robert A. Parkinson in opposition thereto.

395. Standard Oil Co., et al., Appellants, vs. The United States

The re argument of this cause was continued by Mr. Frank B. Kellogg, of counsel for the appellee; Mr D. T. Watson, of counsel for the appellant, and Mr. Attorney General Wickersham, of counsel for the appellee.

* 1192. Southern Pacific Co., Plaintiff in Error, vs. The Commonwealth of Kentucky ex rel George N. Anderson, et al., Revenue Agents.

Mr. Maxwell Evarts, in behalf of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause

Proclamation being made, the Court is ad-

Tuesday, January 17th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
} Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Daniel Davenport, it is ordered that Jack J. Spalding, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

398 Standard Oil Co. et al., Appellants
vs.
The United States.

The re argument of this cause was continued by Mr. Attorney General Wickersham of counsel for the appellee, and concluded by Mr. John G. Johnson of counsel

Tuesday, January 17th, 1911, continued.

407 Stella P. Flintoe, General Guardian &c. Appt. vs. Stone Tracy Co. et al.
409 Wyckoff Van Derhoef, Appt, vs. The Coney Island & Brooklyn R.R. Co. et al.
410 Francis L. Hine, Appt, vs. Home Life Insurance Co. et al.
411 Fred W. Smith, Appt, vs The Northern Trust Co.
412 William H. Miner, Appt, vs. The Corn Exchange Nat'l Bank of Chicago [et al.
415 Cedar Street Co., Appt vs. Park Realty Co.
420 Lewis W. Jared, Appt vs. The American Multigraph Co. et al
425 Joseph E. Ray, Appt, vs. The Butte Mining Co. et al.
431 Percy N. Brundage, Appt, vs. Broadway Realty Co. et al
432 Paul Lacroix, Appt, vs. The Motor Taximeter Cab Co. et al
1112 Arthur Lyman et al., as Trustees &c Appts, vs. Interborough Rapid Transit Co. [et al
1113 George Wendell Phillips, Appt, vs. Fifty Associates et al.
1116 Oscar Mitchell, Appt, vs. Clark Iron Co. et al.
456 Wm F. Fluhrer et al, Appts, vs. The New York Life Insurance Co.
457 Catherine Carylook et al., Appts, vs Boston Wharf Co. et al.

On motion of Mr. Solicitor General Lehmann, of counsel for The United States, It is ordered by the Court that five hours be allowed counsel for the appellants, and three hours to counsel for The United States in the re-argument of these cases. The re argument of these cases was commenced by Maxwell Evarts, of counsel for the appellant in No. 407, and continued by Mr. Julien T. Davies, of counsel for the appellant in No. 415.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
} Associate Justices.

John T. M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. F. J. Stimson, it is ordered that James Grant Forbes, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. G. Hamilton, it is ordered that Arthur L. Knauf, Esquire, of Jamestown, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard Reid Rogers, it is ordered that Ralph Norton, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

863. The Heirs of Maria Luisa Lopez, &c. and The Heirs of Antonio Garcia &c., vs Appellants, Robert Hermanos.

Mr. Frederick S. Tyler, of counsel for the appellees, having filed in open court the following certificate, to wit:

"In the Supreme Court of Porto Rico.

Robert Hermanos,
vs. Plaintiffs and Appellees,
The Heirs of Maria Luisa Lopez, her assigns or the assigns of her heirs, and the Heirs of Antonio Garcia, his assigns or the assigns of his heirs. Defendants & Appellants.

I, Antonio F. Castro, Secretary and Reporter of the Supreme Court of Porto Rico, do hereby certify that in the above named case, judgment was rendered by said Supreme Court on the eighth day of October, Nineteen hundred and seven dismissing the appeal taken by said defendants and appellants to the Supreme Court of Porto Rico and that

tober, Nineteen hundred and seven, said defendants and appellants filed a Notice of Appeal to the Supreme Court of the United States from the judgment of the Supreme Court of Porto Rico, dismissing said appeal and prayed for an order allowing the same, which appeal was accordingly allowed on the thirty first day of October, Nineteen hundred and seven, fixing the amount of the bond at One Thousand dollars and giving the appellants sixty days in which to prepare a copy of the transcript of the Record duly translated; That on the twenty sixth day of December, Nineteen hundred and seven citation was issued by this Supreme Court of Porto Rico

In testimony whereof, I hereunto subscribe my name, and affix the seal of the Supreme Court of Porto Rico at San Juan, Porto Rico this thirty first day of December, Nineteen hundred and ten.

Seal

A. F. Castro

Secretary & Reporter of the Supreme Court of Porto Rico."

moved the Court to docket and dismiss this cause pursuant to the 6th rule. And it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court. It is now

Court that this appeal from the Supreme Court of Porto Rico be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chief Justice White.

864. Maria del Encarnacion Prado, Widow of Suro, vs. The Succession of Alonzo del Rio, &c. Appellant.

Mr. Frederick S. Tyler, of counsel for the appellee, having filed in open court the following certificate, to wit:

"In the Supreme Court of Porto Rico.

Maria del Encarnacion Prado, Widow of Suro, vs. The Succession of Alonzo del Rio, comprised of his widow, Norberta, and of his children — Margarita, Rosa, José, Belen, Carmen, Maximino, Josefa, Maria y Juan del Rio. Plaintiff & Appellant. Defendants & Appellees.

I, Antonio F. Castro, Secretary and Reporter of the Supreme Court of Porto Rico, do hereby certify:

That in the above entitled case, judgment

the twenty-fourth day of June, 1909 in favor of said defendants and appellees, affirming thereby the judgment rendered in said case by the District Court for the Judicial District of Arecibo, under date of June the twenty-ninth, 1908, and that thereupon, to-wit, on the twenty-ninth day of June, 1909 said plaintiff and appellant filed Notice of Appeal to the Supreme Court of the United States from the judgment of the Supreme Court of Porto Rico above mentioned and prayed for an order allowing the same, which appeal was accordingly allowed on the first day of July, 1909, fixing the appellants' bond in One Thousand Dollars, and allowing sixty days to file a complete copy of the Record duly translated, which period was extended on the thirtieth day of August, 1909 to thirty days more, and was subsequently on the twenty Eighth day of September extended fifteen days longer; That on the twenty-eighth day of September, 1909, citation was issued by the Supreme Court of Porto Rico, and on the twenty-ninth day of November, 1909 a further extension of sixty days was requested by the appellants to file a certified copy of the Record duly translated, which motion was heard on the thirteenth day of December, 1909 and was denied on the twenty-second day of December, 1909, because said extension was asked two

days advised in the citation issued by the Supreme Court of Porto Rico.

In testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court at San Juan, Porto Rico on the twenty eighth day of April, 1910

Seal

A. F. Castro,
Secretary and Reporter of the Supreme Court of Porto Rico."

moved the Court to docket and dismiss this cause pursuant to the 9th rule. And it appearing to the Court that the appellant has failed to have her cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by the Court that this appeal from the Supreme Court of Porto Rico, be, and the same is hereby, docketed and dismissed with costs; and that the cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice White

407 Stella P. Flint, as Guard. &c. Appt, vs. Stone Tracy Co. et al
409 Wyckoff Van Derhoef, Appt. vs. The Coney Island & Brooklyn R.R. Co et al.
410 Francis L. Hine, Appt, vs. Home Life Insurance Co et al.
411 Fred W. Smith, Appt vs. The Northern Trust Co et al.
412 William N. Miner, Appt. vs. The Com Exchange Nat'l Bank of Chicago [5 et al.
415 Cedar Street Co., Appt. vs. Park Realty Co.
420 Lewis W. Jared, Appt vs. The American Multigraph Co. et al.
425 Joseph E. Gay, Appt vs. The Baltic Mining Co et al
431 Percy H. Brundage, Appt vs. Broadway Realty Co et al
432 Paul Lacroix, Appt, vs. The Motor Taximeter Cab Co. et al.
442 Arthur Lyman et al, as Trustees, &c. Appts vs Interborough Rapid Transit [Co. et al.
443 George Wendell Phillips, Appt, vs. Fifty Associates et al
446 Oscar Mitchell, Appt, vs Clark Iron Co. et al
456 William F. Fluhrer et al, Appts, vs The New York Life Insurance Co
457 Catherine Cary Cook et al &c, Appts, vs. Boston Wharf Co. et al

The re argument of these cases was continued by Mr. Julien T. Davies, of counsel for the appellant in No. 415; Mr. Frederic Jesup Stimson, of counsel for the appellants in Nos. 425 and 457; Mr. Richard Reid Rogers, of counsel for the appellants in No. 442; by Mr. Solicitor General Lehmann for the United States (by special leave) and by Mr. R. V. Lindabury of counsel for the appellants in Nos. 409 and 410

Proclamation being made, the Court is adjourned

Thursday, January 19th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar } Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. W. Wright, Jr., it is ordered that Harry A. Rogers, Esquire, of Holdenville, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Terrell, it is ordered that William E. H. Searcy, Jr., Esquire, of Griffin, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harris Livermore, it is ordered that John P. Brennan, Esquire, of Cambridge, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Bailey, it is ordered that L. Erl Slack, Esquire, of Franklin, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

407. Stella P. Flint, as guard. Guardian &c. Appt. vs. Stone Tracy Co. et al
409 Wyckoff Van Derhoef, Appt. vs. The Coney Island & Brooklyn R. R. Co. et al
410 Francis L. Hine, Appt. vs. Home Life Insurance Co. et al
411 Fred W. Smith, Appt. vs. The Northern Trust Co., et al.
412 Wm. N. Miner, Appt. vs. The Corn Exchange Nat'l Bank of Chicago et al et al
415 Cedar Street Co., Appt. vs. Park Realty Co
420 Lewis W. Jared, Appt. vs. The American Multigraph Co. et al
425 Joseph E. Gay, Appt. vs. The Baltic Mining Co., et al
431. Percy N. Brundage, Appt. vs. Broadway Realty Co., et al
432. Paul Lacroix, Appt. vs. The Motor Tasimeter Cab Co et al
442. Arthur Lyman et al., as Trustees, Appts. vs. Interborough Rapid Transit Co et al
443 George Wendell Phillips, Appt. vs. Fifty Associates et al
446 Oscar Mitchell, Appt. vs. Clark Iron Co. et al
456 Wm. J. Fluhrer et al., Appts. vs. The New York Life Insurance Co
457 Catherine Cary Cook et al., &c. Appts. vs Boston Wharf Co et al

Thursday, January 19th, 1911, continued.

by Mr R. V. Lindabury, of counsel for the appellants in Nos. 409 and 410.

1148 Amory Eliot, vs. Appellant, James A. Freeman et al

1496 Maine Baptist Missionary Convention, vs. Appellant, Charles E. Cotting et al.

The argument of these cases was commenced by Mr. Moorfield Storey, of counsel for the appellant in No. 1148; continued by Mr. Burton E. Eames, of counsel for the appellant in No. 1496, and Mr. Solicitor General Lehmann, of counsel for the United States, and concluded by Mr. Moorfield Storey, of counsel for the appellant in No. 1148.

627 Ary E. Zonne, vs Appellant Minneapolis Syndicate et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John R. Van Derlip, of counsel for the appellant, and Mr. Solicitor General Lehmann, of counsel for the United States.

Thursday, January 19th, 1911, continued

	Charles D. Campbell,	The re-argument
12.	vs. Appellant,	of these cases was
	Frederick Weyerhaeuser et al.	commenced by
	Frederick Weyerhaeuser et al.	Mr. C. W. Bunn,
24.	vs. Appellants,	of counsel for
	Herbert N. Hoyt.	Weyerhaeuser et al.
	Northern Pacific Railway Co.,	and the Northern
181.	vs (Plaintiff in Error.	Pacific Railway
	Fred Wase et ux.	Co. and continued by Mr. M. N.

Stanford, of counsel for Campbell and Hoyt.

Proclamation being made, the Court is ad-

Friday, January 20th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. M. E. Olmstead, it is ordered that Jonathan N. Laugham, Esquire, of Indiana, and Edward A. Caimalt, Esquire, of Brookville, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Andrew T. Bierkan, Esquire, of New Haven, State of Connecticut, be admitted to practice as an attorney and counsellor of this

12 Charles D. Campbell, Appellant, vs. Frederick Weyerhaeuser et al.

34 Frederick Weyerhaeuser et al., Appellants vs. Herbert N. Hoyt.

181 Northern Pacific Railway Co., Plaintiff in Error, vs. Fred Wase et ux.

The argument of these cases was continued by Mr. M. H. Stanford, of counsel for Campbell and Hoyt; Mr. P. B. Gorman of counsel for Wase et ux., and concluded by Mr. Frank B. Kellogg, of counsel for Weyerhaeuser et al. and the Northern Pacific Railway Co.

3, Original. Commonwealth of Virginia, Complainant, vs. State of West Virginia

On motion of Mr. S. L. Williams, of counsel for the complainant,

It is ordered by the Court that sixteen hours be allowed for the argument of this case, and that three counsel be allowed to be heard on each side.

3, Original. Commonwealth of Virginia, Complainant, vs. State of West Virginia

The argument of this cause was commenced by Mr. Holmes Conrad of counsel for the bond holders

(Proclamation being made the Court is adjourned

Monday, January 23d, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar,
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Burwell K. Marshall, Esquire, of Louisville, State of Kentucky, and Alfred C. Coxe, Jr., Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Richardson, it is ordered that James T. Kirk, Esquire, of Tuscumbia, and Henry A. Bradshaw, Esquire,

to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr Holmes Conrad, it is ordered that John Rutherford, Esquire, of Richmond, State of Virginia, and Walter Myers, Esquire, of Indianapolis, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry M. Teller, it is ordered that John T. Barnett, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles D. Drayton, it is ordered that Francis N. McGee, Esquire, of Trenton, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Irving P. Wanger, it is ordered that Margaret Richardson Knipe and Irvin P. Knipe, Esquire, of Norristown, State

attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe T. Robinson, it is ordered that Harry N. Myers, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur P. Murphy, it is ordered that Joseph J. Crites, Esquire, of Rolla, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Warren Keifer, it is ordered that William E. Tou Velle and Patrick E. Kenney, Esquires, of Celina, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Joseph McLean, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and counsellor of this Court, and

David Muskrat and J. Henry Dick on their own behalf and on behalf of all Cherokee citizens enrolled as such for allotment as of September 1, 1902, Appellants, vs. The United States. } Appeal from the Court of Claims.

330

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition for the want of jurisdiction.

Per Mr. Justice Day.

William Brown and Levi B. Gritts, on their own behalf and on behalf of all other Cherokee citizens having like interest in the property allotted under the Act of July 1, 1902, Appellants, vs. The United States. } Appeal from the Court of Claims.

331.

transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition for the want of jurisdiction.

Per Mr. Justice Day.

662. Lawrence E. Sexton, as Trustee in Bankruptcy of Kessler & Co., Appellant, vs. Leopold Louis Dreyfus, Louis Louis Dreyfus, and Charles Louis Dreyfus, composing the firm of Louis Dreyfus & Co. } Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be,

District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Holmes.

663 Lawrence E. Sexton, as Trustee in Bankruptcy of Kessler & Co., Appellant, vs. Lloyds Bank, Limited

Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Holmes.

492. Southern Pacific Co., Plaintiff in Error, vs. The Commonwealth of Kentucky ex rel. George N. Anderson, et al., Revenue Agents. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Tuesday, October 10, 1911, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

843. Comptograph Co., Petitioner vs. Burroughs Adding Machine Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

844 Comptograph Co. vs. Burroughs Adding Machine Co. — Petitioner — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

60 Marchie Tiger, vs. The Western Investment Co. et al. — Plaintiff in Error. — It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re argument, and assigned for Monday, February 20th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

The Chief Justice announced that the Court will take a recess from Monday, the 30th instant, to Monday, February 20th next.

William Dreier,
358 vs. Plaintiff in Error,
The United States.
William Dreier,
359 vs Appellant,
William Henkel,
United States Marshal, &c.

On motion of Mr. Solicitor General Lehmann, of counsel for the defendant in error and appellee, It is ordered by the Court that these cases be, and the same are hereby, assigned for argument on Monday, February 20th next after the cases heretofore assigned for that day.

Christopher C. Wilson,
759 vs Plaintiff in Error,
The United States
Christopher C. Wilson,
760 vs Appellant.
The United States
Christopher C. Wilson,
758. vs. Appellant.
The United States.

On motion of Mr Solicitor General Lehmann, of counsel for the defendant in error and appellee, It is ordered by the Court that these cases be, and the same are hereby, assigned for argument on Monday, February 20, next, after the cases heretofore assigned for that day.

The United States.
211. vs. Plaintiff in Error,
Pierre Grimaud et al.
The United States
212. vs. Plaintiff in Error
Antonio Inda

Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to fix a day for the reargument of these cases

Napoleon B. Smith et al.,
839 vs. Petitioners,
Nellie Mae Moore.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. R. Lee Ward, Mr. William Wallace and Mr. A. B. Browne in support of the same, and Mr. William Scallon, Mr. C. B. Nolan and Mr. Thomas J. Walsh in opposition thereto

The State of New Jersey,
847 vs. Petitioner
Arthur Lovell, Trustee, &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr Francis H. Mellen and Mr. Edmund Wilson in support of the same

852. M. B. Shelton, Trustee, &c., Petitioner, vs Charles A. Price. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry A. Bradshaw and Mr. Laurence Cooper in support of the same, Mr. J. T. Kirk, of counsel for the creditors, and Mr. Richard W. Walker in opposition to the petition

3, Original. Commonwealth of Virginia, Complainant, vs. State of West Virginia The argument of this cause was continued by Mr. Holmes Conrad, of counsel for the bond holders, Mr. Charles E. Hogg, of counsel for the defendant, and Mr. Samuel W. Williams, of counsel for the complainant.

Proclamation being made the Court is adjourned

Tuesday, January 24th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day — Associate
Horace H. Lurton — Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

3, Original — Commonwealth of Virginia, Complainant, vs. State of West Virginia — The argument of this cause was continued by Mr. Samuel W. Williams and Mr. William A. Anderson of counsel for the complainant, and Mr. George W. McClintic, of counsel for the defendant.

Proclamation being made the Court is ad-

Wednesday, January 25th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar, Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. John C. Spooner, it is ordered that George Rublee, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Jaynes, it is ordered that Estes George Baxter, Esquire, of Gainesville, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. W. B. C. Brown, it is ordered that John L. Park, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Frank B. Kellogg, it is ordered Herschel B. Fryberger, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

3. Original. Commonwealth of Virginia, Complainant, vs State of West Virginia

The argument of this cause was continued by Mr. George L. Spooner, of counsel for the defendant.

W. M. Clintic and Mr. John

Proclamation being made, the Court is adjourned

Thursday, January 26th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
} Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Daniel Davenport, it is ordered that Roy M. Eilers, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry S. Knight, it is ordered that Clinton Hamlin Blake, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. A. W. Rucker, it is ordered that John E. Raker, Esquire, of Alturas, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. Henry Shepherd, it is ordered that Jesse E. Wilson, Esquire, of Rensselaer, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

76. Choctaw, Oklahoma & Gulf Railroad Co., vs. Mrs. Myra Burgess and W. N. Burgess — Plaintiff in Error, In Error to the Supreme Court of the State of Oklahoma

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

3, Original. Commonwealth of Virginia, complainant, vs. State of West Virginia. The argument of this cause was concluded by Mr. Randolph Harrison, of counsel for the complainant, and leave was granted counsel to file additional briefs herein within ten days.

604. The Merrimack River Savings Bank, appellant, vs. The City of Clay Center, Kansas, et al. The return to the rule to show cause herein was argued by Mr. F. B. Dawes, of counsel for the respondents to said rule and by Mr. F. L. Williams, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Friday, January 27th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White Chief Justice.
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. W. W. Wilson, it is ordered that Walter T. Stanton, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel Davenport it is ordered that Walter Gordon Merritt, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Irving P. Wanger, it is ordered that Harvey K. Zollinger, Esquire, of Lansdale, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

93. Philadelphia & Reading Railway Co., Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the Eastern District of Pennsylvania.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice White

247. Sewers & Cooke, Limited, Appellant, vs. Mary H. Atherly. On motion of Mr Edward M. Watson, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, December 4th next.

190 The Buck's Stove & Range Co., Appellant,
vs.
The American Federation of Labor et al.
The American Federation of Labor et al.,
394. vs. Appellants,
The Buck's Stove & Range Co.
Samuel Gompers et al.,
372. vs. Petitioners.
The Buck's Stove & Range Co.

It is ordered by the Court that three hours be allowed each side for the argument of these cases.

The Buck's Stove & Range Co.,
190. vs. Appellant,
The American Federation of Labor et al.
The American Federation of Labor et al.,
394. vs. Appellants,
The Buck's Stove & Range Co.

The argument of this cases was commenced by Mr. J. J. Darlington, of counsel for The Buck's Stove & Range Company; and continued by Mr. J. H. Ralston, of counsel for The American Federation of Labor et al., and Mr. Daniel Davenport, of counsel for The Buck's Stove & Range Company. The Court declined to hear further argument.

372. Samuel Gompers et al., Petitioners,
vs.
The Buck's Stove & Range Co.

The argument of this cause was commenced by Mr. Alton B. Parker, of counsel for the petitioners.

Proclamation being made, the Court is adjourned

Monday, January 30th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar,
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Willard M. McEwen, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. L. Morrill, it is ordered that Jesse R. Long, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and

On motion first made to the Court in this behalf by Mr. E.L. Hamilton, it is ordered that Thomas W. Fitzsimons, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. F.D. McKenney it is ordered that Edmund Bayly Seymour, Jr., Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Barry Mohun, it is ordered that Robert Woods Sutton, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Harry H. Fisher Esquire, of Greensburg State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. M. Terrell, it is ordered that

Clifford E. Hay, Esquire, of Sylvester, State of Georgia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in that behalf by Mr. E. W. Kelley, it is ordered that Woodhull Hay, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Simon Lyon, it is ordered that R. B. N. Lyon, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. S. Bacon, it is ordered that Calvin T. Milans, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court. and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. W. Martin, it is ordered that Louie W. Crofoot, Esquire, of Aberdeen, State of South Dakota, be admitted to practice as

he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Borah, it is ordered that O. P. Soule, Esquire, of St. Anthony, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

383. Northern Pacific Railway Co. vs. Plaintiff in Error, Bessie Babcock, Administratrix &c.

338 New York, New Haven & Hartford Railroad Co. vs. Plaintiff in Error, Mary Agnes Walsh, Administratrix, &c.

339 Mary Agnes Walsh, Administratrix &c. vs. Plaintiff in Error, New York, New Haven & Hartford Railroad Co.

313. Edgar A. Mondou, vs. Plaintiff in Error, New York, New Haven & Hartford Railroad Co.

It is ordered by the Court that these cases be, and the same are hereby, reassigned for argument on Monday, February 20th next, at the head of the case for that day.

Per Mr. Chief Justice White

13 Original. The State of Oklahoma, Complainant, vs. The Atchison, Topeka & Santa Fe Railway Co.

14 Original. The State of Oklahoma, Complainant, vs. The Atchison, Topeka & Santa Fe Railway Co., etc.

It is ordered by the Court that these cause be, and the same are hereby, reassigned for argument on Monday, February 20th next, after cause Nos. 353 &c.,

per Mr. Chief Justice White.

207 Ricardo Aguado, vs. Appellant, City of Manila.

53. Verisimo Vasquez Vilas, vs. Plff in Error & Appellant, City of Manila.

511. Esperanza Otero Trigas et al., vs Plff in Error & Appellants, City of Manila.

It is ordered by the Court that these cases be, and the same are hereby, re-assigned for argument on Monday, February 20th next, after Nos. 13 and 14 original

per Mr. Chief Justice White.

360. Fred Light, vs Appellant, The United States.

It is ordered by the Court that this cause be, and the same is hereby, re assigned for argument on Monday, February 20th next, after Nos. 207 &c..

per Mr. Chief Justice White.

211 The United States
vs. Plaintiff in Error,
Pierre Grimaud et al
212 The United States,
vs. Plaintiff in Error,
Antonio Inda.

On consideration of the motion to fix a day for the reargument of these cases, It is now here ordered by the Court that the cases be assigned for reargument on Monday, February 20th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

834 Napoleon B. Smith,
Smith Brothers Sheep Co. et al,,
vs. Petitioners.
Nellie Mae Moore.

On petition for writ of certiorari to The United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

Per Mr. Chief Justice White

The State of New Jersey. Petitioner. vs. Arthur Lovell, Trustee in bankruptcy of The Haley Electric Generator Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

547.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

M. B. Shelton, as Trustee in bankruptcy of B. B. Garner & Co., Petitioner. vs. Charles N. Price — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

552.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

70. Dr. John Hopkins, Plaintiff in Error, vs. The Clemson Agricultural College of South Carolina

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument.

per Mr. Chief Justice White.

812. Edmund S. Nash, et al., Petitioners, vs. The United States

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John C. Spooner and Mr. Samuel B. Adams in support of the same, and Mr. Attorney General Wickersham, Mr. Solicitor General Lehmann Mr. Assistant to the Attorney General Kenyon and Mr. Edwin P. Grosvenor in opposition thereto.

777. Walter B. Lawrence, etc., Appellant, vs. The Southern Pacific Co. et al.

Mr. Russell A. Landale in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause pursuant to the 32nd rule.

216. Clarence A. Venner et al., Plaintiffs in Error, vs. Denver Union Water Co. et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joel F. Vaile and Mr. Gerald Hughes in support of the same, and Mr. E. N. Zolnie and Mr. Caldwell Yeaman in opposition thereto.

870. The Schmertz Wire Glass Co., et al., Petitioners, vs. Highland Glass Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John W. Griggs, Mr. Arthur J. Baldwin, Mr. Thomas B. Kerr and Mr. Drury W. Cooper in support of the same, and Mr. Charles Neave and Mr. William G. McKnight in opposition thereto.

867. Whitney Elevator & Warehouse Co., Petitioner vs. Belle N. Whitney. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Joseph McLean in support of the same, and Mr. William G. Tracy in opposition thereto.

Original. The State of Arkansas, Complainant, vs. The State of Tennessee.

Mr. Alfred P. Thom in behalf of counsel for the complainant, submitted to the consideration of the Court a motion for leave to file a bill of complaint herein.

754. The Fair, Appellant, vs. Kohler Die & Specialty Co

Mr. L. S. Bacon, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

833. Herbert S. Hadley et al., Petitioners, vs. Arthur C. Huidekoper

Mr. Reginald S. Huidekoper, of counsel for the respondent, submitted to the consideration of the Court a motion to advance this cause

873. Frank L. Neall, Trustee, Petitioner, vs. Maryland Dredging & Contracting Co. et al

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William S. Montgomery in support of the same, and Mr. Frederick M. Brown in opposition thereto.

877. The Empire Timber Co. vs. The Woodbine Timber Co. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr Philip Walker in support of the same.

875 Dowagiac Manufacturing Co. vs. Minnesota Moline Plow Co. et al. Petitioner
876. Dowagiac Manufacturing Co. vs. Ernest F. Smith et al Petitioner. The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr Fred L. Chappell in support of the same, and Mr. Thomas A. Banning in opposition thereto.

374. Catherine Schlemmer now Catherine Gray, vs. The Buffalo, Rochester & Pittsburgh Railway Co. Plaintiff in Error. Mr. Frederic D. McKenney, of counsel for the plaintiff in error submitted to the consideration of the Court a motion to advance this cause.

508. William W. Bierce, Limited vs. William Waterhouse et al., Executors, etc Plaintiff in Error Mr. Frederic D. McKenney, of counsel for the plaintiff in error, moved the Court

issue the mandate in this case at once, which was opposed by Mr. Evans Browne in behalf of counsel for the defendants in error. Whereupon it is now here ordered by the Court that said motion be, and the same is hereby, denied.

E. L. Coffin et al.,
vs.
Charles P. Flint.
No. 871. Petitioners,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Robert Woods Sutton and Mr. John M. Freeman in support of the same, and Mr. J. Frank Snyder in opposition thereto. Leave was granted counsel for the petitioners to file an additional brief on or before Friday next. Mr. J. Frank Snyder, of counsel for the respondent, submitted to the consideration of the Court a motion that the Court refuse to entertain the petition.

Sanitary Street Flushing Machine Co.
vs.
St. Louis Street Flushing Machine Co., et al.
No. 876. Petitioner.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. James L. Hopkins in support of the same.

715 Chin Ying Don and Jem Yuen, vs. Appellants. George B. Billings, U. S. Commissioner, &c.

The motion to admit the appellant, Jem Yuen, to bail pending this appeal was submitted to the consideration of the Court by Mr. Warren Ozro Kyle in support of the same with leave to file a brief in support of said motion on or before Friday next, and to the Attorney General to file a brief in opposition thereto on or before the Wednesday following

372 Samuel Gompers et al., vs. Petitioners The Buck's Stove & Range Co.

The argument of this cause was continued by Mr Alton B. Parker, of counsel for the petitioners and Mr. J. J. Darlington and Mr. Daniel Davenport, of counsel for the respondent; and concluded by Mr J. H. Ralston, of counsel for the petitioners

Proclamation being made, the Court is adjourned

Monday, February 20th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph M. Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar, Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that George A. Taylor, Jr., Esquire, of Mt. Vernon, and Robert H. Kochler and George F. Canfield, Esquires, of New York City, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Chauncey E. Blake, Esquire, of Madison, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he

On motion first made to the Court in this behalf by Mr. N. F. Woodard, it is ordered that J. F. Schaperkotter, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Humphrey, it is ordered that Arthur E. Griffin, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Henry Dennis, it is ordered that Walter C. Stevens, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Barry Mohun, it is ordered that Thomas J. O'Hare, Esquire, of Chicago, State of Illinois; A. V. Cushman, Esquire, of Washington, District of Columbia, and Charles A. Conlon, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles H. Merillat, it is ordered that Robert J. Boone, Esquire, of Muskogee, State of

torney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that A. D. Lipscomb, Esquire, of Beaumont, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank H. Short, it is ordered that Lewis W. Andrews, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. H. Abbot, it is ordered that Edwin Hale Abbot, Jr., Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene O'Dunne, it is ordered that Thomas J. Mason, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. McReynolds, it is ordered that Endicott P. Saltonstall, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Chicago, Burlington & Quincy Railroad Co. and Chicago, Burlington & Quincy Railway Co., Plaintiffs in Error, vs. Charles L. McGuire. 62.

In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes

The Merrimack River Savings Bank, Appellant, vs. The City of Clay Center, Kansas, et al 604

On consideration of the petition of the above-named appellant, praying that the appellees, George W. Hanna, C. L.

Randall be cited to show cause why they should not be proceeded against as for contempt of this Court, of the return to the rule to show cause issued herein, and of the argument of counsel thereupon had. It is now here ordered by the Court that the said rule to show cause be discharged upon the payment by said respondents to said rule to show cause of the cost of this proceeding.

per Mr. Justice Lurton

T. L. Roughton,
vs. Plaintiff in Error,
Harry L. Knight.

711. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lurton

Noble State Bank,
vs. Plaintiff in Error,
C. N. Haskell et al.

71. Mr. Justice Holmes delivered an additional opinion herein.

Southern Pacific Terminal Co. Southern Pacific Co. and Galveston, Harrisburg & San Antonio Railway Co.,
1157. vs. Appellants,
The Interstate Commerce Commission and E. A. Young.
E. A. Young,
1160. vs. Appellant.
The Interstate Commerce Commission, Southern Pacific Terminal Co., et al.

Appeals from the Circuit Court of the United States for the Southern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna

The Louisville & Nashville Railroad Co.
246. vs Plaintiff in Error.
Erasmus L. Mottley and Annie E. Mottley, his wife

In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the tran-

of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for such further proceedings as may be deemed proper, not inconsistent with the views expressed in the opinion of this Court.

Per Mr. Justice Harlan

74. Chicago, Indianapolis & Louisville Railway Co., Appellant, vs. The United States. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Harlan

	The Chicago, Rock Island & Pacific Railway Co.,	In Error to the Supreme Court of
No.	vs. Plaintiff in Error	the State of Arkan-
	The State of Arkansas.	sas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

	Frederick Weyerhaeuser and John A. Humbird,	Appeal from the United States Circuit
24.	vs. Appellants,	Court of Appeals for
	Herbert A. Hoyt.	the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs, and that the decree of the Circuit Court of the United States for the District of Minnesota in this cause be, and the same is hereby, affirmed

same is hereby, remanded to said Circuit Court

per Mr. Chief Justice White.

Dissenting:
Mr. Justice Harlan
Mr. Justice Day.

12 Charles D. Campbell, Appellant, vs. Frederick Weyerhaeuser and John A. Humbird — Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota.

per Mr. Chief Justice White

Dissenting:
Mr. Justice Harlan
Mr. Justice Day.

181. Northern Pacific Railway Co., Plaintiff in Error
vs.
Fred Wass & Pauline Wass, his wife.

In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice White

Dissenting:
Mr. Justice Harlan
Mr. Justice Day.

527. Southern Pacific Co. and Oregon & California Railroad Co., Appellants,
vs.
Interstate Commerce Commission.

Appeal from the Circuit Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the Circuit Court

trict of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree declaring the order of the Interstate Commerce Commission to be void, and otherwise granting the relief prayed in the bill.

Per Mr. Chief Justice White

Ex parte: In the matter of George F. Harding, Original. Petitioner, On consideration of the motions for leave to file a petition for a writ of mandamus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied

Per Mr. Chief Justice White

Chin Ying Don and Jem Yuen, Appellants, vs. George B. Billings, U.S. Commissioner of Immigration, &c. On consideration of the motion to admit the appellant Jem Yuen to bail pending this appeal, and of the argument of counsel thereupon had, It is now here

and the same is hereby denied

per Mr. Chief Justice White

The State of Arkansas, Complainant,
Original vs.
The State of Tennessee

On consideration of the motion for leave to file a bill in Equity herein and that process thereupon issue, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that a subpoena to the defendant issue herein, returnable on the second Monday of October, 1911.

per Mr. Chief Justice White

Catherine Schlemmer, now Catherine Craig,
374. vs. Plaintiff in Error,
The Buffalo, Rochester & Pittsburgh Railway Co.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 3, 1911.

per Mr. Chief Justice White

Herbert S. Hadley et al.,
533 vs. Petitioners,
Arthur C. Huidekoper

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for

the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

777 Walter B. Lawrence, suing on behalf of himself &c., Appellant, vs. The Southern Pacific Co. et al. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied, but the cause will be taken by submission on printed briefs if all the parties are so advised.

Per Mr. Chief Justice White.

784. The Fair, Appellant, vs. Kohler Die & Specialty Co. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

842. Edmund L. Nash, Spencer P. Shotter et al., Petitioners, vs. The United States. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in sup-

ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice White.

875. Dowagiac Manufacturing Co., Petitioner vs. Minnesota Moline Plow Co. et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted

per Mr Chief Justice White

876. Dowagiac Manufacturing Co. Petitioner, vs. Ernest F. Smith and Luppo W. Zimmer. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted

856. Sanitary Street Flushing Machine Co., Petitioner vs. St. Louis Street Flushing Machine Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

867. Whitney Elevator & Warehouse Co., Petitioner vs. Belle N. Whitney. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

870.	The Schmertz Wire Glass Co. et al vs. Highland Glass Co.	Petitioners / On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

873.	Frank L. Neall, as Trustee, vs. Maryland Dredging & Contracting Co. et al	Petitioner, / On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr Chief Justice White.

874. E. G. Coffin and F. M. McDonald, partners trading under the firm-name of Coffin & MacDonald, Petitioners, vs. Charles P. Flint. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circ.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

877. The Empire Timber Co., Petitioner, vs. The Woodbine Timber Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

140. The Buck's Stove & Range Co., Appellant, vs. The American Federation of Labor, Samuel Gompers et al. } Appeals from the Court of Appeals of the District of Columbia.

344. The American Federation of Labor, Samuel Gompers et al., Appellants, vs. The Buck's Stove & Range Co.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, on appeal and cross appeal, and it having appeared to the Court during the argument that the matters in controversy between the parties have been settled and that the cause has become a moot cause, Therefore, It is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed, without costs to either party.

Per Mr. Chief Justice White

216. Clarence A. Venner, Harry W. Elliott, John T. Christie et al., Plaintiffs in Error, vs. The Denver Union Water Co., The Denver Water Co. and The Farmers' Loan & Trust Co. et al. } In Error to the Supreme Court of the State of Colorado.

transcript of the record from the Supreme Court of the State of Colorado and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

217. Cross Lake Shooting & Fishing Club, Plaintiff in Error, vs. The State of Louisiana. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. G. Pleasant, Mr. Walter Guion and Mr. W. P. Hall in support of the same, and Mr. Edgar A. Farrar in opposition thereto.

638. Christopher Straesheim, Sheriff, etc., Appellant, vs. Milton Daily. A suggestion of diminution and motion to amend the record instanter and a motion to advance this cause were submitted to the consideration of the Court by Mr. Franz C. Kuhn in support of the same, and Mr. William S. Forrest in opposition thereto.

880. The Atlantic City Railroad Co. Petitioner, vs. Mary S. Clegg, Administratrix &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. L. Cole in support of the same and Mr. W. Holt Apgar in opposition thereto.

815. Charles C. Buckingham, et al. Appellants, vs. Charles M. Crouse. Mr. A. V. Cushman, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

903. Patrick K. Connolly. Petitioner, vs. Francis E. Bouck, Administrator &c., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Hugh Butler in support of the same.

886. The American Manufacturing Co. Petitioner, vs. Valenti Zulkowski. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Thomas F. Magner in support of the same, and Mr. Charles Duckstein and Mr. A. J. Rose in opposition thereto.

634 Robert Gilland. vs. The United States. Plaintiff in Error. Mr. C. T. Milane, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

884. John J. Sennon & Co., vs. The United States of America. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George A. Lamar and Mr. William H. Gorham in support of the same, and Mr. Solicitor General Lehmann in opposition thereto.

611. J. M. Hebert et al., vs. W. J. Crawford, Trustee, et al. Appellants. Mr. A. D. Lipscomb, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause, and leave was granted him to file a brief in support of said motion on or before tomorrow.

912. Justo Puente y Armsterdam et al., vs. Felix Puente et al. Appellants. Mr. F. D. McKenney, of counsel for the appellees, having filed in open court, the

following certificate, to wit:

In the Supreme Court of Porto Rico.

Justo Puente y Armsterdam,
Martin Puente y Armsterdam,
Maria Juana Puente y Armsterdam,
vs. Petitioners & Appellees, now Appellants
Felix Puente, Maximo Puente, Lino Puente,
Juliana Puente, Fecunda Puente,
Visitacion Puente, Daniel Puente,
Esperanza Puente and Maria Puente,
Opponents & Appellants now Appellees.

Declaration of Heirship

I, Antonio J. Castro, Secretary and Reporter of the Supreme Court of Porto Rico, do hereby certify that in the above entitled case, judgment was rendered by the Supreme Court of Porto Rico on the 18th of June, 1910, reversing the judgment rendered therein by the District Court of Ponce on the 8th of January, 1909; that from said judgment of the Supreme Court of Porto Rico, Juels, Martin and Maria Juana Puente y Armsterdam, took an appeal to the Supreme Court of the United States, which appeal was duly allowed on the 21st of June, 1910, upon the appellants filing a bond in the penal sum of five thousand dollars; that said bond was properly filed and approved on the 8th day of August, 1910, and in pursuance of said appeal, a citation was issued to the above named appellees, on the 18th day of August, 1910.

In witness whereof, I hereunto set my hand and affix the

Seal.

at the city of San Juan, Porto Rico, this 28th day of January, 1911.

A. F. Castro,
Secretary and Reporter of the Supreme Court."

moved the Court to docket and dismiss this cause pursuant to the 4th rule. And it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Supreme Court of Porto Rico be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice White

843. A. J. Preston, Petitioner, vs. Sturgis Milling Co.

844. A. J. Preston, Petitioner, vs. Chicago, St. Louis & New Orleans Railroad Co.

845. A. J. Preston, Petitioner vs. T. W. Calloway et al.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Helm Bruce and Mr. Kennedy Helm in support of the same, and Mr. James F. Failleigh, of counsel

Nos. 893 and 895, and Mr. Edmund F. Trabue, of counsel for the respondent in No. 894 in opposition thereto

The State of North Carolina, Complainant,
6, Original vs.
The State of Tennessee

On motion of Mr. J. C. McReynolds, in behalf of counsel, leave is hereby granted to file stipulations of counsel as to continuance of cause and as to extending time for taking testimony herein

The State of North Carolina, Complainant,
6, Original vs.
The State of Tennessee.

It is ordered by the Court that this cause be, and the same is hereby continued to the next term per stipulation of counsel.

The State of North Carolina, Complainant,
6, Original vs.
The State of Tennessee.

On motion of Mr. J. C. McReynolds, in behalf of counsel, leave is hereby granted to file a stipulation of counsel extending the time for taking testimony in this cause, and in pursuance of said stipulation, It is now here ordered by the Court that the time for taking testimony in this cause be, and the same is hereby extended as follows, viz: The State of Tennessee shall have until March 1st

testimony. The State of North Carolina shall have until April 1st, 1911, thereafter in which to take any further testimony which she may wish to offer, whether in rebuttal or otherwise. The State of Tennessee shall have until May 1st 1911 thereafter in which to take any testimony which she may wish to offer in answer to testimony taken by the State of North Carolina which was not strictly in rebuttal. The State of North Carolina shall have until June 1st, 1911, thereafter in which to take testimony in rebuttal to any testimony taken by the State of Tennessee subsequent to March 1st, 1911.

per Mr. Chief Justice White.

879. John Hart, Petitioner, vs. The United States. The petition for a writ of certiorari herein and motion that the petitioner be admitted to bail were submitted to the consideration of the Court by Mr. Thomas W. Fitzsimons, of counsel for the petitioner, and leave was granted the Solicitor General to file brief in opposition thereto on or before Friday next

406 Alexander D. McKnight, Plaintiff in Error, vs. Robert T. Hodge, Sheriff, &c. The motion to advance this cause for hearing with case No. 156 was submitted to the consideration of the Court on

of counsel for the plaintiff in error herein in support of the same, and Mr. Elliott W. Mayor, of counsel for the defendant in error in case No. 156 in opposition thereto.

529. W. H. Byles, Plaintiff in Error; vs. The State of Arkansas. The motion to advance this cause for hearing with case No. 156 was submitted to the consideration of the Court on printed arguments by Mr. A. C. Lyon, of counsel for the plaintiff in error herein in support of the motion, and by Mr. Elliott W. Mayor, of counsel for the defendant in error in case No. 156 in opposition thereto.

178. The Texas & Pacific Railway Co., Plaintiff in Error; vs. Mrs. Mary A. Stevenson, in her own behalf and as next friend for her three minor children, Mary Catherine Stevenson et al. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

It appearing to the Court that a motion of counsel for the plaintiff in error and a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion and stipulation it is now here ordered and adjudged by this Court that the writ of error in

clerk's costs to be paid by the plaintiff in error.
per Mr. Chief Justice White.

222. The Baltimore & Ohio Railroad Co., Appellant; vs. Interstate Commerce Commission. — It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 4, rule 26.

1133. The United States, Plaintiff in Error; vs. O. A. Johnson — It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 4, rule 26.

15, Original. Ex parte: In the matter of the Eastern Cherokee, Petitioner — This cause was argued by Mr. John B. Daish, of counsel for the petitioner, and Mr George M. Anderson, of counsel for the respondent.

383. Northern Pacific Railway Co., vs. Plaintiff in Error
Bessie Babcock, Administratrix &c.
New York, New Haven & Hartford Railroad Co.,
338 vs. Plaintiff in Error.
Mary Agnes Walsh, Administratrix &c.
Mary Agnes Walsh, Administratrix &c.
559. vs Plaintiff in Error.
New York, New Haven & Hartford Railroad Co.
Edgar Mondow.
313. vs. Plaintiff in Error.
New York, New Haven & Hartford Railroad Co.

On motion of Mr. C. W. Bunn, of counsel for the Northern Pacific Railway Co., leave is hereby granted three counsel to make oral argument for the Railroad Companies.

383. Northern Pacific Railway Co., vs. Plaintiff in Error,
Bessie Babcock, Administratrix &c.
New York, New Haven & Hartford Railroad Co.,
338 vs. Plaintiff in Error.
Mary Agnes Walsh, Administratrix &c.
Mary Agnes Walsh, Administratrix &c.
559. vs. Plaintiff in Error
New York, New Haven & Hartford Railroad Co.
Edgar G. Mondow,
313. vs. Plaintiff in Error.
New York, New Haven & Hartford

The argument of these cases was commenced by Mr. C. W. Bunn, of counsel for the Northern Pacific Railroad Co.

declaration being made, the Court

Tuesday, February 21st, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar,
Associate Justices.

John M. Wright, Esquire, Marshal,
James D. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William S. Kenyon, it is ordered that George A. Bacon, Esquire, of Springfield, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr A. J. Peters, it is ordered that Francis M. Costello, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. G. Washburn, it is ordered that Robert O. Harris, Esquire, of East Bridgewater, and George D. Burrage, Esquire, of Brookline, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Borah, it is ordered that J. H. Peterson, Esquire, of Boise, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Wilson, it is ordered that William S. Welch, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Rasca F. Downing, it is ordered that Leo J. Flynn, Esquire, of Dubuque, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

383. Northern Pacific Railway Co., Plaintiff in Error, vs. Bessie Babcock, Administratrix &c.

378 New York, New Haven & Hartford Railroad Co., Plaintiff in Error vs. Mary Agnes Walsh, Administratrix &c.

379 Mary Agnes Walsh, Administratrix &c., Plaintiff in Error vs. New York, New Haven & Hartford Railroad Co.

313 Edgar G. Mondou, Plaintiff in Error, vs. New York, New Haven & Hartford Railroad Co.

The argument of these cases was continued by Mr C. W. Bunn, of counsel for the Northern Pacific Railway Co; Mr. Samuel A. Anderson, of counsel for Babcock, Administratrix &c.; Mr. John L. Hall, of counsel for the New York, New Haven & Hartford Railroad Co.; Mr. Endicott P Saltonstall, of counsel for Walsh, Administratrix, &c. and Mr. Edward D. Robbins, of counsel for the New York, New Haven & Hartford Railroad Co., and concluded by Mr. Donald G. Perkins, of counsel for Edgar G. Mondou.

Proclamation being made, the Court is adjourned

Thursday, February 23d, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles West, it is ordered that Bird McGuire, Esquire, of Pawnee, and James W. Steen, Esquire, of Enid, State of Oklahoma, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward M. Hopewell, it is ordered that Isidor J. Greene, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of the State of Oklahoma, Petitioner. — No. 9, 10, Original. — The argument of these cases was commenced by Mr. Fred S. Caldwell of counsel for the petitioner; continued by Mr. S. T. Bledsoe and Mr. J. S. Graydon, of counsel for the respondents, and concluded by Mr. Joseph W. Bailey, of counsel for the petitioner.

The State of Oklahoma, Complainant, vs. The Atchison, Topeka & Santa Fe Railway Co. — No. 13, Original. — The argument of the demurrer in this case was commenced by Mr Robert Dunlap, of counsel for the defendant in support of the same.

Proclamation being made, the Court is adjourned

Friday, February 24th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. B. C. Brown, it is ordered that Politte Elvins, Esquire, of Elvins, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas L. Waters, it is ordered that Charles O'Sullivan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Herrick, it is ordered that Edward M. Comyns, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

13, Original. vs. The State of Oklahoma, Complainant, The Atchison, Topeka & Santa Fe Railway Co.

The argument of the demurrer herein was continued by Mr. Robert Dunlap, of counsel for the defendant in support of the same, and Mr. Charles West, of counsel for the complainant in opposition thereto, and concluded by Mr. Robert Dunlap, of counsel for the defendant in support of the same.

11, Original vs. The State of Oklahoma, Complainant, The Atchison, Topeka & Santa Fe Railway Co. et al.

The argument of the demurrers herein was commenced by Mr. Lawrence Maxwell, of counsel for the defendants in support of the same; continued by Mr. Charles West, of counsel for the complainant in opposition thereto, and concluded by Mr. S. T. Bledsoe, of counsel for the defendants in support of the same.

207 Ricardo Aquado,
vs. Appellant.
City of Manila.

53 Verisimo Vasquez Vilue
vs. Plff in Error & Appellant,
City of Manila

54. Esperanzo Clero Trigue et al.,
vs. Plffs in Error & Appellant
City of Manila.

The argument of these cases was commenced by Mr. Frederic R. Coudert, of counsel for plaintiffs in error and appellants, and continued by Mr. Paul Churchon, of counsel for defendant in error and appellee.

(Proclamation being made, the Court is adjourned.

Monday February 27th. 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
} Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Wickersham, it is ordered that John L. Wilkie, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Charles I. Landis, Esquire, of Lancaster State of Pennsylvania, and Charles C. Buell, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus O. Bacon, it is ordered that Hamilton Douglas, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Baeot, it is ordered that John V. Baeot, Esquire, of Morristown, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Conceal, it is ordered that George B. Serenbetz, Esquire, of Lebanon, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles H. Merillat, it is ordered that Preston A. Shinn, Esquire, of Pawhuska, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George X. McLanahan, it is or

of Washington, District of Columbia, and Henry Ledyard, Esquire, of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Adamson, it is ordered that Hewlette A. Hall, Esquire, of Newnan, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr A. B. Browne, it is ordered that James F. Williamson, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank P. Flint it is ordered that Benjamin E. Page, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. Warren Keifer, it is ordered that David King Hempstead, Esquire, of Wilmington, State of Ohio, be admitted to practice as an attorney

accordingly

On motion first made to the Court in this behalf by Mr. James A. Hayden, it is ordered that James M. Swift, Esquire, of Fall River, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that J. A. L. Wolfe, Esquire, of Sherman, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

406 Alex. D. McKnight. vs. Plaintiff in Error; Robert D. Hodge, Sheriff &c

524 W. H. Byles. vs. Plaintiff in Error. State of Arkansas.

On consideration of the motions to advance these cases for argument with case No 156 on the docket for the present term,

It is ordered by the Court that the said motions be, and the same are hereby, denied, but leave is hereby granted counsel in these cases to file printed briefs in case No. 156 as amici curiae.

Per Mr Chief Justice White.

611. J. M. Hebert et al., Appellants, vs. W. J. Crawford, Trustee, etc. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

638. Christopher Strassheim, Sheriff, etc., Appellant, vs. Milton Daily On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 3d next, after the cause heretofore assigned for that day.

per Mr. Chief Justice White

654. Robert Willard, Plaintiff in Error, vs. The United States On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 3d next, after the cause heretofore assigned for that day.

per Mr. Chief Justice White

Charles C. Burlingham, et al.,
815. vs. Appellants,
Charles M. Crouse.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White.

John Hart,
874. vs Petitioner
The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

The Atlantic City Railroad Co.,
880. vs Petitioner
Mary S. Clegg, Administratrix of Charles A. Clegg, deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of

Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Chief Justice White

884 John J. Cesnon Co., Petitioner, vs. United States of America — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

886 The American Manufacturing Co., Petitioner, vs. Valenti Zulkowski — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be

the same is hereby, denied.

per Mr Chief Justice White

1893. A. J. Preston, Petitioner, vs. Sturgis Milling Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr Chief Justice White.

1894. A. J. Preston, Petitioner vs. Chicago, St. Louis & New Orleans Railroad Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

875. A. J. Preston, Petitioner, vs. J. W. Calloway and Eleanor L. Calloway et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

903. Patrick K. Connolly, Petitioner, vs. Francis E. Bouck, Administrator, etc., of Mary Connolly Andrews and Michael Connolly. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Christopher Straubheim,
Sheriff, etc.,
638. vs Appellant,
Milton Daily

On consideration of the suggestion of diminution and motion to amend the record in this cause, and of the argument of counsel thereupon had as well in support of as against the same It is ordered by the Court that said motion be, and the same is hereby, granted without prejudice.

Per Mr. Chief Justice White

Cross Lake Shooting & Fishing Club,
217. vs. Plaintiff in Error,
State of Louisiana

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White

The United States,
352 vs. Plaintiff in Error,
Thomas Franklin

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attention of the Court by Mr Solicitor General Lehmann, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said

by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice White

879. Frances A. Becker, Petitioner, vs. Exchange Mutual Fire Insurance Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Edmund Bayly Seymour, Jr., in support of the same

916. Charles West, Attorney General, etc., Appellant, vs. The Kansas Natural Gas Co. et al. — The motion to advance this cause was submitted to the consideration of the Court by Mr. Charles West in support of the same, and Mr. E. L. Scarritt, Mr. John J. Jones and Mr. Eugene Mackey in opposition thereto.

2, Original. The State of Georgia, Complainant, vs. The Tennessee Copper Co. et al. — On motion of Mr. H. A. Hall, of counsel for the complainant, leave is hereby granted to file a stipulation of counsel herein.

900. The Foster Hose Supporter Co., vs Thomas P. Taylor, Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James J. Kennedy in support of the same and Mr. Morris H. Seymour in opposition thereto.

850851. The Michigan Trust Co., vs Edward P. Ferry, Petitioners. The petitions for writs of certiorari in these cases were submitted to the consideration of the Court on printed arguments by Mr. E. B. Critchlow, Mr. Willard F. Kenny and Mr. C. S. Thomas in support of the same, and Mr. Franklin S. Richards in opposition thereto.

922 Charles F. Neuenther, vs Mineral Point Zinc Co., Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Thomas F. Sheridan in support of the same, and Mr. Edward Rector in opposition thereto.

852. The Missouri, Kansas & Texas Railway Co., Plaintiff in Error, vs. C. W. Richardson.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. Joseph W. Bailey and Mr. Rice Maxey in support of the same, and Mr. Cecil A. Smith Mr. James Hagerman and Mr. Joseph M. Bryson in opposition thereto.

842. Frank W. Fletcher et al., Petitioners, vs. Albert M. Brown.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry Ledyard and Mr. Henry M. Campbell in support of the same, and Mr. Harrison Geer and Mr. Walter B. Grant in opposition thereto.

640 The Vicksburg Water Works Co., Plaintiff in Error, vs. Yazoo & Mississippi Valley Railroad Co.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward Mayes and Mr. C. N. Burch in support of the same, and a motion for extension of time on the motion to dismiss was submitted by Mr. J. C. Bryson of counsel for the

plaintiff in error.

Montana Mining Co. Limited.
853. Petitioner,
St. Louis Mining & Milling Co. of Montana

The petition for a writ of certiorari herein was submitted to the consideration of the court on printed arguments by Mr A B. Browne, Mr Evans Browne, Mr. Alexander Brillon, Mr E. C. Day and Mr. L. O. Evans in support of the same, and Mr. M. S. Gunn and Mr. F. J. Walsh in opposition thereto.

M. L. Samuels.
926 vs Appellant,
Charles A. Read,
Trustee in bankruptcy
of A Landsberger, bankrupt

Mr. E. C. Brandenburg, of counsel for the appellee, having filed in open court the following certificate, to wit:

"In the United States Circuit Court of Appeals
Fifth Circuit.

I, Charles N. Ledman, clerk of said court, do hereby certify cause No. 2125, wherein M. L. Samuels was appellant, and Charles A. Read, as trustee in bankruptcy for the bankruptcy estate for A. Landsberger, was appellee, on appeal from the District Court of the United States for the Northern District of Georgia, was

13, 1910, On October 29, 1910, a final decree of this court was rendered in said cause against the said appellant, and in favor of the said appellee. On December 10, 1910, an appeal was duly sued out and allowed to the said appellant.

Witness my hand and seal of said court at New Orleans, Louisiana, on this the 17th day of February, 1911.

(Seal)

Charles N. Ledoux,
Clerk."

moved the Court to docket and dismiss this cause pursuant to the 9th rule. And it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the United States Circuit Court of Appeals for the Fifth Circuit be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said United States Circuit Court of Appeals to be proceeded in according to law and justice.

Per Mr. Chief Justice White

Monday, February 27th, 1911, continued.

207 Ricardo Aguado,
vs. Appellant,
The City of Manila

553 Verisimo Vasquez Vilar
vs Piff in Error & Appellant,
The City of Manila

511 Esperanza Olen Trigas et al.,
vs. Piff in Error & Appellants,
The City of Manila

The argument of these causes was continued by Mr. Paul Charlton, of counsel for defendant in error and appellee, and concluded by Mr. Howard Thayer Kingsbury, of counsel for the plaintiffs in error and appellants.

360 Fred Light,
vs. Appellant,
The United States.

The argument of this cause was commenced by Mr. James H. Teller, of counsel for the appellant, and continued by Mr. Ernest Knaebel, of counsel for the appellee, and Mr. James H. Teller, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Tuesday, February 28th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclumation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank W. Hackett, it is ordered that Charles D. Barnard, Esquire, of Manchester, and Albert D. Jones, Esquire, of Rochester, State of New Hampshire, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Van Vechten Olcott, it is ordered that Joseph Pool, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

360. Fred Leight, Appellant, vs. The United States. The argument of this cause was continued by Mr. Ernst Knaebel, by special leave, of counsel for the appellee, and concluded by Mr. James H. Teller, of counsel for the appellant.

387. Samuel D. Gromer, Treasurer, etc., Appellant, vs. Standard Dredging Co. This cause was submitted to the consideration of the court on the record and printed arguments by Mr. Paul Charlton and Mr. Foster V. Brown, of counsel for the appellant, and Mr. Charles Hartzell and Mr. Manuel Rodriguez-Serra, of counsel for the appellee.

504 The United States, Petitioner, vs. The Atchison, Topeka, & Santa Fe Railway Co. This cause was argued by Mr. Assistant to the Attorney General Kenyon, of counsel for the petitioner, and Mr. Robert Dunlap, of counsel for the respondent.

36 Diamond Rubber Co. of New York, Petitioner, vs. Consolidated Rubber Tire Co. et al. The argument of this cause was commenced by Mr. Charles K. Offield, of counsel for the petitioner, and continued by Mr. Frederick P. Fish,

[illegible] being made the order of court [illegible]

Wednesday, March 1st, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day — Associate
Horace H. Lurton — Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Charles W. Mapleton, it is ordered that Paul A Staley, Esquire, of Springfield, State of Ohio, and Isaac L. Rice, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Howard G. Cosgrove, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of

On motion first made to the Court in this behalf by Mr. E. H. Hubbard, it is ordered that Herman D. Reeve, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Daniel Davenport, it is ordered that David Carll, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. W. G. Henderson, it is ordered that William L. Clout, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. C. Young, it is ordered that Lamont Williams, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Richardson, it is or-

State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry M. Goldfogle, it is ordered that Joseph F. O'Connell, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

527. Southern Pacific Co. et al., Appellants, vs. Interstate Commerce Commission. On motion of Mr. Maxwell Evarts, of counsel for the appellants, leave is hereby granted the clerk to issue the mandate in this cause.

147. Henry Melville Walker, Appellant, vs. Edward H. Harriman. The death of Edward H. Harriman, the appellee in this cause having been heretofore suggested, and an order of publication issued, now, on motion of Mr. Maxwell Evarts of counsel, It is ordered by the Court that Mary W. Harriman, Administratrix of Edward H. Harriman, deceased, be, and she is hereby, made the party appellee in this cause.

Wednesday, March 1st, 1911, continued

36. Diamond Rubber Co. of New York, Petitioner vs. Consolidated Rubber Tire Co., et al.

The argument of this cause was continued by Mr. Frederick P. Fish, of counsel for the respondents, and concluded by Mr. Charles A. Offield, of counsel for the petitioner.

60. Marchie Tiger, Plaintiff in Error vs. The Western Investment Co. et al.

The reargument of this cause was commenced by Mr. W. L. Sturdevant, of counsel for the plaintiff in error, and continued by Mr. George S. Ramsey, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Thursday, March 2d, 1911.

Pursuant to adjournment, the Court met to-day, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. E. D. Crumpacker, it is ordered that Owen L. Crumpacker, Esquire, of Valparaiso, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Coe I. Crawford, it is ordered that Royal C. Johnson, Esquire, of Highmore and Peter W. Dougherty, Esquire, of Dell Rapids, State of South Dakota, and Owen W. Dynes, Esquire, of Chicago, State of Illinois, be admitted

this Court, and they were sworn accordingly by

60. Marchie Tiger, Plaintiff in Error, vs. The Western Investment Co. et al. — The reargument of this cause was continued by Mr. George S. Ramsey and Mr. S. T. Bledsoe, of counsel for the defendants in error, and concluded by Mr. Wade H. Ellis for the United States.

358 William Dreier, Plaintiff in Error, vs. The United States
359 William Dreier, Appellant, vs. William Henkel, U. S. Marshal, etc. — These cases were reargued by Mr. Wickham Smith, of counsel for the plaintiff in error and appellant, and submitted on a printed argument by Mr. Assistant to the Attorney General Kenyon, of counsel for the defendant in error and appellee.

759 Christopher C. Wilson, Plaintiff in Error, vs. The United States
760 & 785. Christopher C. Wilson, Appellant, vs. The United States. — The argument of these cases was commenced by Mr. John B. Blanchfield, of counsel for the plaintiff in error and appellant.

Proclamation being made, the Court is adjourned

Friday, March 3d, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar,
Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Louie E. McKnight, Esquire, of Anadarko, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. P. Dodlittle, it is ordered that Leonard Day, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

by Mr. John L. Thompson, it is ordered that E. H. Madison, Esquire, of Dodge City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Albert S. Burleson, it is ordered that Alfred A. Trunch, Esquire, of Jersey City, State of New Jersey, and Albert G. Greenwood, Esquire, of Palestine, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The City of Pond Creek et al., Plaintiffs in Error, vs. C. N. Haskell, Governor of the State of Oklahoma et al. — In Error to the Supreme Court of the State of Oklahoma.

86.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, with costs.

444	John M. Waterbury and Chauncey Marshall, vs. Phenix National Bank.	In Error to the Supreme Court of the State of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice White

445	John M. Waterbury and Chauncey Marshall, vs. Phenix National Bank.	It is ordered by the Court that leave be, and the same is hereby, granted the Clerk to issue the mandate in this cause

754	Christopher C. Wilson, vs. The United States.	The argument of these cases was continued by Mr. Solicitor General Lehmann, of counsel for the defendant in error and appellee,
760 & 765	Christopher C. Wilson, vs. The United States.	

and concluded by Mr. John B. Stanchfield, of counsel for the plaintiff in error and appellant

The United States,
241. vs. Plaintiff in Error,
Pierre Arnaud et al.
The United States.
242. vs. Plaintiff in Error
Antonio Inda.

These cases were re-argued by the Assistant Attorney General Fowler, of counsel for the plaintiff in error, and Mr. J. M. Hodgson, of counsel for the defendants in error, and leave was granted counsel for the plaintiff in error to file an additional brief herein on or before Monday next.

Mariano Martinez,
Administrator, &c.,
798&80. vs. Appellant
The International Banking Corporation.

The argument of this cases was commenced by Mr. Howard Thayer Kingsbury, of counsel for the appellant.

Proclamation being made, the Court is ad-

Monday, March 6th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Merrill Moores, it is ordered that Frank B. Jagna, Esquire, of Portland, and Morton Sebier Hawkins, Esquire, of Indianapolis, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Pierce, it is ordered that E. A. Walton, Esquire, of Salt Lake City, State of Utah, and Edward C. Finney, Esquire, of Lawrence, State of Kansas, be admitted to practice as attorneys and counsellors of this Court, and

On motion first made to the Court in this behalf by Mr. Henry D. Clayton, it is ordered that Lonax M. Smith, Esquire, of Birmingham, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph R. Webster, it is ordered that Kirtland I. Perky, Esquire, of Boise State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

3. Original. Commonwealth of Virginia, Complainant, vs. State of West Virginia.

The opinion of the Court in this case was delivered by Mr. Justice Holmes.

532. The Missouri, Kansas & Texas Railway Co., Plaintiff in Error, vs. C. W. Richardson.

In Error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas, and on motion to dismiss or affirm, which was argued by counsel On

and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice White.

610. The Vicksburg Water Works Co., Plaintiff in Error, vs. Yazoo & Mississippi Valley Railroad Co. In Error to the Supreme Court of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and on motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White.

616. Charles West, Attorney General &c. Appellant, vs. The Kansas Natural Gas Co. et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 3d next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

850. The Michigan Trust Co. Petitioner. vs. Edward P. Ferry. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice White.

851. The Michigan Trust Co. Petitioner. vs. Edward P. Ferry. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr Chief Justice White.

878. Frances A. Becker, Petitioner, vs. Exchange Mutual Fire Insurance Company of Pennsylvania. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

879. Montana Mining Co., Limited, Petitioner vs. St. Louis Mining & Milling Co., of Montana. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

892. Frank W. Fletcher and Allan M. Fletcher, Executors of the last will and testament of George N. Fletcher, deceased, et al. vs. Albert W. Brown. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

900 The Foster Hose Supporter Co. vs. Thomas P. Taylor. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr Chief Justice White

922. Charles F. Neuenther, vs. Mineral Point Zinc Co. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

85. George D. Bryan, Collector, &c., vs. Roxana S. Ker, Executrix, &c. Petitioner. On motion of Mr. Solicitor General Lehmann, of counsel for the petitioner, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 26.

100. The Hannibal Bridge Co. et al vs. The United States. Plaintiffs in Error. On motion of Mr. Solicitor General Lehmann of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of

862. The Home for Destitute Children et al., vs. The Peter Bent Brigham Hospital et al. Appellants. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. L. Thorndike in support of the same, and Mr. Charles A. Snow and Mr. Joseph N. Knight in opposition thereto. The motion to strike out alleged new evidence and portions of brief of counsel for appellees herein was submitted on printed arguments by Mr. Charles A. Snow and Mr. Joseph N. Knight in support of the same, and Mr. J. L. Thorndike in opposition thereto.

897. Malinda Tanner, vs. William N. Murphy et al. Petitioner.

898. William N. Shea et al., vs. William N. Murphy et al. Petitioners.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. J. G. Middlecoff and Mr. R. Sleight in support of the same, and Mr. M. N. Stanford in opposition thereto.

264. Frank A. Waskey et al., Petitioners, vs. Joseph Hammer et al.
1164. Frank A. Waskey, Petitioner, vs. J. J. Chambers.

The motions to dismiss the writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. George W. Rea in support of the same and Mr. W. A. Meteon, Mr. Albert Fink, and Mr Ira B. Orton in opposition thereto.

885. Carl Adamson, Petitioner, vs. The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr William C. Reed in support of the same, and Mr Solicitor General Lehmann and Mr. Assistant Attorney General Harr in opposition thereto.

79 & 80. Mariano Martinez, Administrator, etc., Appellant, vs. The International Banking Corporation

The argument of these cases was continued by Mr. Howard Thayer Kingsbury, of counsel for the appellant, and Mr. Henry E. Davis, of counsel for the appellee, and and concluded by Mr. Frederic R. Coudert, of counsel for the appellant.

The Western Union Telegraph Co.,
vs. Plaintiff in Error,
Laurence J. Crowd et al.

The argument of these cases was commenced by Mr. Francis Raymond Stark, of counsel for the plaintiff in error, and continued by Mr. J. Kent Rawley, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Tuesday, March 7th. 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day — Associate
Horace H. Lurton — Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened

92 — Liverpool & London & Globe Insurance Co. of New York, Plaintiff in Error, vs. The Board of Assessors of the Parish of Orleans et al.

347 — Orient Insurance Co., et al., Plaintiffs in Error, vs. The Board of Assessors of the Parish of Orleans et al.

On motion of Mr. H. Garland Dupre, of counsel for the defendants in error, It is ordered by the Court that these cases be, and the same are hereby, passed, subject to the provisions of section 9, rule 26

The Western Union Telegraph Co., vs. Plaintiff in Error,
81 & 87. Laurence J. Crowe et al. The argument of these cases was continued by Mr. J. Kent Rowley, of counsel for the defendants in error, and concluded by Mr Francis Raymond Stark, of counsel for the plaintiff in error.

Ada Elmira Hirst Van Syckel et al., vs. Appellants
83. Juan Jose Arenaya et al. This cause was argued by Mr. George H. Lamar, of counsel for the appellants, and Mr. Charles F. Carusi, of counsel for the appellees.

Minnie Schodde, Executrix &c., vs. Petitioner
84. Twin Falls Land & Water Co. The argument of this case was commenced by Mr. Kirtland I. Perky, of counsel for the petitioner, and continued by Mr E. B. Critchlow, of counsel for the respondent.

Proclamation being made the Court is adjourned

Wednesday, March 8th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Ralph W. Breckenridge, it is ordered that Edward T. Miller, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Luther M. Walter, it is ordered that W. A. Percy, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. S. Huston, it is ordered that Martin T. Baldwin, Esquire, of Glen Ridge State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

758. The United States of America ex rel. Herman Knight, Plaintiff in Error, vs. Richard A. Ballinger, Secretary of the Interior. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr Attorney General Wickersham, Mr. Solicitor General Lehmann and Mr. Assistant Attorney General Lawler in support of the same, and Mr. Frederic D. McKenney, Mr. John Spalding Flannery, Mr. William Hitz, Mr. James W. Zevely, Mr. James M. Givens, and Mr. Edgar Smith in opposition thereto

84. Minnie Schodde, Executrix, Petitioner, vs. Twin Falls Land & Water Co. The argument of this cause was continued by Mr. E. B. Critchlow, of counsel for the respondent, and concluded by Mr. Kirtland I. Perky, of counsel for the petitioner.

115. Margaret E. Taylor, in her own right, etc., vs. Appellant, Mary J. Leesnitzer et al Appellees.

This cause was argued by Mr. J. J. Darlington, of counsel for the appellant, and Mr. Edmund Burke, of counsel for the appellees.

Proclamation being made, the Court is adjourned

Thursday, March 4th, 1915.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. J. Kane, it is ordered that Ralph S. Williamson, Esquire, of North Yakima, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin Carter, it is ordered that William P. Acker, Esquire, of Anniston, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. Wade H. Ellis, it is ordered that Thomas H. Hogsett, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

634 Robert Gilland, Plaintiff in Error, vs. The United States.

On motion of Mr. L. S. Bacon, in behalf of counsel for the plaintiff in error, It is ordered by the court that this cause be, and the same is hereby, re assigned for argument on Tuesday, October 10 next, after the cases heretofore assigned for that day.

88 E. M. Dell, Petitioner, vs. St. Louis & San Francisco Railroad Co. — Chicago, Burlington & Quincy Railway Co., Petitioners, vs. The United States

329

The argument of these cases was commenced by Mr. Luther M. Walker, of counsel for the petitioner in No. 88, continued by Mr. Edward T. Miller, of counsel for the respondent in No. 88; W. A. Percy, of counsel for the petitioner in No. 88; Mr. Ralph W. Breckenridge, of counsel for the petitioner in No. 329, and Mr. Assistant Attorney General Fowler, of counsel for the respondent in No. 329, and concluded by Mr. Charles J. Greene, of counsel for the petitioner in No. 329

	Colorado & Northwestern Railroad Co.,	The argument of these cases was commenced by Mr. Assistant Attorney General Fowler, of counsel for the defendant in error.
127.	vs. Plaintiff in Error;	
	The United States.	
	Southern Railway Co.,	
187.	vs. Plaintiff in Error.	
	The United States.	

Proclamation being made the Court is adjourned

Friday, March 10th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Edmund H. Parry, it is ordered that William R. Kennedy, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. P. Murphy, it is ordered that Louis H. Breuer, Esquire, of Rolla, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

587 Henry C. Ripley, vs. Appellant, The United States.
588. The United States, vs Appellant, Henry C. Ripley.

These cases were submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. Assistant Attorney General John D. Thompson and Mr Philip W. Ashford, of counsel for The United States, and Mr. William A. Robeson, Mr. Benjamin Carter and Mr. F. Carter Pope, of counsel for Ripley.

127. Colorado & Northwestern Railroad Co. vs. Plaintiff in Error, The United States
187 Southern Railway Co., vs Plaintiff in Error, The United States.

The argument of these cases was concluded by Mr. Assistant Attorney General Fowler, of counsel for the defendant in error. Case No 127 was submitted on printed arguments by Mr. E. E. Whitted, of counsel for the plaintiff in error, and case No. 187 was submitted on the record by Mr. Alfred P. Thom, of counsel for the plaintiff in error.

91. Jesse Nichols, vs. Plaintiff in Error, The City of Cleveland

This cause was argued by Mr. Andrew Squire, of counsel for the plaintiff in er-

the defendant in error.

Ira Perryman, by O. A. Perryman, his next friend, Plaintiff in Error, vs. Thomas W. Coleman, Jr., Judge &c. 90. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. John B. Knox, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

Simeon Halloweell, vs. The United States. 89. This cause was argued by Mr. Thomas L. Sloan, of counsel for Halloweell, and Mr. Assistant Attorney General Harr, of counsel for The United States.

Box Elder Power & Light Co., Plaintiff in Error, vs. Brigham City. 91. This cause was argued by Mr. E. A. Walton, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. E. B. Critchlow and Mr. William A. King, of counsel for the defendant in error.

(Proclamation being made, the Court is adjourned

Monday, March 13th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White Chief Justice.
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Alfred S. Thom, it is ordered that Edward Barton, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank B. Crosthwaite, it is ordered that John A. Burford, Esquire, of Guthrie, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Myron G. Bronner, Esquire, of Little Falls, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clifford S. Walton, it is ordered that N. C. Frenger and J. N. Paxton, Esquires, of Las Cruces, Territory of New Mexico, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

260. Stuart Lindsley, Appellant, vs. Natural Carbonic Gas Co. William S. Jackson, Attorney General of the State of New York, et al. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs

407. Stella P. Flint as General Guardian of the property of Samuel M. Stone, Junior, a minor, vs. Appellant; Stone Tracy Co. et al. Appeal from the Circuit Court of the United States for the District of Vermont

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Vermont, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr Justice Day.

409. Wyckoff Van Derhoef, vs. Appellant; The Coney Island & Brooklyn Railroad Co. et al. Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

410. Francis L. Hine, Appellant, vs. Home Life Insurance Co., et de. Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

411 Fred W. Smith, Appellant, vs. The Northern Trust Co., A. C. Bartlett, William A. Fuller et al Appeal from the Circuit Court of the United States for the Northern Distrct of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

412. William H. Minor vs. The Corn Exchange National Bank of Chicago, Charles A. Wacker, Martin A. Ryerson et al

Appellant.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

415. Cedar Street Co., vs. Park Realty Co.

Appellant,

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is

424. Lewis W. Jared, Appellant, vs. The American Mulligraph Co. et al. Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day

425. Joseph E. Gay, Appellant, vs. The Baltic Mining Co., et al. Appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here, ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day

1431. Percy H. Brundage, vs. Broadway Realty Co. et al — Appellant, — Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

1432. Paul Lacroix, vs. Motor Taximeter Cab Co. et al. — Appellant, — Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

Arthur Lyman, and Arthur T. Lyman as Trustees under the last will and testament of George Baty Blake, deceased,
411 vs. Appellants,
Interborough Rapid Transit Co., et al

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

George Wendell Phillips,
412 vs. Appellant,
Fifty Associates et al.

Appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Day.

Oscar Mitchell,
446 vs. Appellant,
Clark Iron Co. et al

Appeal from the Circuit Court of the United States for the District of Minnesota

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

William F. Fluhrer,
Albert W. Durand and
Howard H. Williams,
456 vs. Appellants,
New York Life Insurance Co

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

Katharine Cary Cook,
Harriet Huntington Cook,
and Ellenor Richardson Cook,
by Anna H. R. Cook, their
guardian and next friend,
1154 vs. Appellants,
Boston Wharf Co. et al.

Appeal from the
Circuit Court of
the United States
for the District
of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

Amory Eliot.
1448. vs. Appellant.
James G. Freeman
Robert A. Boit, Nathaniel Thayer, and Robert H. Gardiner.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered,

the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer, and for further proceedings consistent with the opinion of this Court.

per Mr. Justice Day.

Maine Baptist Missionary Convention, Appellant, vs. Charles E. Cottrell and Charles F. Adams, 2d, Trustees, &c

496. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer and for further proceedings consistent with the opinion of this Court.

per Mr. Justice Day.

627 Ary E. Zonne, Appellant, vs. Minneapolis Syndicate John de Laittre, Treasurer, and J. Frank Conklin, Assistant Treasurer. Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer and for further proceedings consistent with the opinion of this Court.

Per Mr. Justice Day.

504 The United States, Petitioner, vs. The Atchison, Topeka & Santa Fe Railway Co. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On con-

and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois.

per Mr. Justice Holmes.

Hipolite Egg Co., Claimant of fifty cans, more or less of preserved whole eggs. Plaintiff in Error and Appellant; vs. The United States. In Error to and Appeal from the District Court of the United States for the Southern District of Illinois

514.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice McKenna

Ada Elmira Hirst Van Syckel, in her own right, and Martha Ethel Van Syckel et al., by Ada Elmira Hirst Van Syckel, their next friend,

vs. Appellants,

Juan Jose Arsuaga, Jose Pio Arsuaga, Pedro Arsuaga, and Narcisio Arsuaga, partners under the firm name of Sobrinos de Ezquiaga, and Paul A. English

Appeal from the District Court of the United States for Porto Rico.

85.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White

Ira Perryman by O. A. Perryman, his next friend,

vs. Plaintiff in Error.

Thomas W. Coleman, Jr., Judge of the City Court of Anniston.

In Error to the Supreme Court of the State of Alabama.

90.

This cause came on to be heard on the transcript

of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

91. Jesse Nichols, Plaintiff in Error, vs. The City of Cleveland. In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

94. Box Elder Power & Light Co., Plaintiff in Error, vs. Brigham City. In Error to the Supreme Court of the State of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of

error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice White

862. The Home for Destitute Children, The Town of Bakersfield, Trustee, etc., et al., Appellants, vs. The Peter Bent Brigham Hospital and Edmund D. Codman and Laurence A. A. Johnson, Trustees under the Will of Sarah B. Jacobs. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White

264. Frank H. Wackey et al., Petitioners, vs. Joseph Hammer et al. On consideration of the motion to dismiss in this cause, and of the argument of counsel thereupon had, as well in support of

by the Court that said motion be, and the same is hereby, denied

Per Mr. Chief Justice White.

Frank N. Waskey, vs. J. J. Chambers. 1164 Petitioner.

On consideration of the motion to dismiss in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The United States of America ex rel Herman Knight, vs. Richard A. Ballinger, Secretary of the Department of the Interior 758. Plaintiff in Error.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White.

Carl Adamson, vs. The United States 885. Petitioner.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of

Court of Appeals for the Eighth Circuit and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

897. Malinda Tanner, Petitioner, vs. William A. Murphy, Elisha A. Flinn, and Selwin Eddy, as Executors and Trustees under the will of Simon J. Murphy, deceased, et al

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

William H. Shea, Mary Shea and Elwood L. Raab, vs. Petitioners. William H. Murphy, Elisha N. Flinn, and Selwin Eddy, as Executors and Trustees under the will of Simon J. Murphy, deceased, et al

No. 748. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Order

It is ordered by the Court that the provisions of Rule 31 of the rules of this Court shall apply to all records to be printed as provided in the the Act of Congress entitled "An Act to diminish the expense of proceedings on appeal and writ of error or of certiorari," approved February 13, 1911.

Per Mr. Chief Justice White

The Chief Justice announced that the Court will take a recess from Monday the 20th in-

9111 Leibel Pincus vs Glueckman, Appellant, vs. William Henkel, United States Marshal, etc. Mr. Charles Dushkind, of counsel for the appellant, submitted to the consideration of the court a motion to advance this cause.

9111 W. A. Coyle, Plaintiff in Error, vs. Thomas P. Smith, Secretary of State, etc. Mr. John A. Burford, of counsel for the plaintiff in error, submitted to the consideration of the court a motion to advance this cause.

952 The Baker Transportation Co., Petitioner, vs. The Steam Tug "John A. Hughes", etc. The petition for a writ of certiorari herein was submitted to the consideration of the court on printed arguments by Mr. Le Lagnel Berier and Mr. James J. Macklin in support of the same, and Mr. James Emerson Carpenter and Mr. Samuel Park in opposition thereto.—

905. Louisville & Nashville Railroad Co., Appellant, vs. Adam T. Siler et al. Mr. Henry L. Stone, of counsel for the appellant, submitted to the consideration of the court a

Globe Printing Co. of St. Louis,
596. vs. Plaintiff in Error;
Samuel B. Cook.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John H. Atwood in support of the same, and Mr. Edward C. Crow and Mr. Hannis Taylor in opposition thereto.

Vicente Garcia Gavieres,
102. vs. Plaintiff in Error;
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by the plaintiff in error in propria persona, and Mr. Assistant Attorney General Harr, of counsel for the defendant in error.

Rafael Enriquez, in his own name and as administrator, etc., et al.,
45. vs. Appellants,
Francisco Saez Co-Tiongco, et al.

This cause was argued by Mr. Jackson A. Ralston, of counsel for the appellants, and Mr. A. B. Browne, of counsel for the appellees.

The State of Oklahoma ex rel Charles West, Attorney General, etc.
vs. Plaintiff in Error,
The Chicago, Rock Island & Pacific Railway Co. —
vs.
error.

This cause was argued by Mr. Charles West, of counsel for the plaintiff in error, and Mr. M. A. Low, of counsel for the defendant in

Theresa Arnett et al.,
vs. Appellants,
D. M. Reade
vs.
pellants

The argument of this cause was commenced by Mr. N. C. Frenger, of counsel for the ap-

(Proclamation being made, the Court is adjourned

Tuesday, March 14th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar,
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Philip Mauro, it is ordered that William B. Kerkam, Esquire, of Washington, District of Columbia, and Ralph Lane Scott, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew Wilson, it is ordered that Philip P. Wells, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court.

104. The Shawnee Sewerage & Drainage Co., vs. Appellant, Frank P. Stearns, as Mayor, etc., et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. B. B. Blakeney and Mr. James A. Maxey, of counsel for the appellant, and Mr. J. H. Everest, of counsel for the appellees.

98. Theresa Arnett et al., vs. Appellants, D. M. Reade The argument of this cause was continued by Mr. N. C. Fringer, of counsel for the appellants, and Mr. J. N. Paxton, of counsel for the appellee, and concluded by Mr. Clifford L. Walton, of counsel for the appellants.

99. Pere Alfredo Luis Baglin et al., vs. Appellants, The Cuesnier Co. The argument of this cause was commenced by Mr. Philip Maurer, of counsel for the appellants.

Proclamation being made, the Court is adjourned

Pursuant to adjournment the Court met to day, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Tazewell Taylor, it is ordered that Walter A. Taylor, Nathaniel T. Green, and William Leigh Williams, Esquires, of Norfolk, State of Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Rufus E. Ragland, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court

On motion first made to the Court in this behalf by Mr. W. C. Prentiss, it is ordered that George J. Stoneman, Esquire, of Globe, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Luther M. Walter, it is ordered that Roscoe F. Waller, Esquire, of Blaine, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

70 Dr. John Hopkins, Plaintiff in Error, vs. The Clemson Agricultural College of South Carolina

This cause was re-submitted to the consideration of the Court by stipulation of counsel on the record and printed arguments by Mr. Joseph A. McCullough and Mr. R. T. Jaynes of counsel for the plaintiff in error, and Mr. J. P. Carey, of counsel for the defendant in error.

69 Pere Alfredo Luis Baglin et al., Appellants vs. Cusenier Company.

The argument of this cause was continued by Mr. Philip Mauro, of counsel for the appellants, and Mr.

concluded by Mr. Philip Maurs, of counsel for the appellants. Leave was granted counsel for the appellee to file an additional brief herein on or before the 20th instant

101. Hills & Co., Limited vs. Joseph Hoover et al. The argument of this cause was commenced by Mr. Hector T. Tinton, of counsel for Hills & Co., Limited, and continued by Mr. William A. Carr, of counsel for Hoover et al

Proclamation being made, the Court is adjourned

Thursday, March 16th, 1911.

Pursuant to adjournment, the Court met to-day, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Tazewell Taylor, it is ordered that John F. Green, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

114 A. Sandoval et al., Appellants, vs. Epes Randolph

It is ordered by the Court that this cause be, and the same is hereby, continued to the next term per stipulation of counsel.

101. Hills & Co., Limited vs. Joseph Hoover et al. The argument of this cause was continued by Mr. William A. Carr, of counsel for Hoover et al., and concluded by Mr. Benno Loewy, of counsel for Hills & Co., Limited.

103. J. W. Perry Co., et al., Plaintiffs in Error, vs. The City of Norfolk

104. William N. White, Plaintiff in Error, vs. The City of Norfolk

The argument of these cases was commenced by Mr. Tazewell Taylor, of counsel for the plaintiffs in error; continued by Mr. Nathaniel T. Green, of counsel for the defendant in error, and concluded by Mr. Walter N. Taylor, of counsel for the plaintiffs in error.

106. Standard Paint Co. vs. Trinidad Asphalt Manufacturing Co. Appellant. This cause was argued by Mr. John F. Green, of counsel for the appellant, and submitted on a printed argument by Mr. William B. Homer, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Friday, March 17th. 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Charles A. Merillat, it is ordered that Victor Oscar Johnson, Esquire, of Shoshone, State of Iddho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Chicago, Burlington & Quincy Railway Co., Petitioner.
vs.
Erastus W. Willard, Administrator. 165.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Albert

sel for the petitioner, and Mr. Arthur J. Eddy and Mr. Emil C. Wellen, of counsel for the respondent.

Charles A. Merillat and Mason N. Richardson, Trustees, etc., Appellants, vs. Melville D. Henney et al. 107

The argument of this cause was commenced by Mr. Charles A. Merillat, of counsel for the appellants; continued by Mr. A. A. Birney, of counsel for the appellee, and concluded by Mr. Mason N. Richardson, of counsel for the appellants.

The United States, Plaintiff in Error, vs. John J. O'Brien, individually, etc., et al. 108.

This cause was argued by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, and Mr. Frederick J. Swift and Mr. George A. King, of counsel for the defendants in error.

Jose Perez y Fernandez et al., Appellants, vs. Jose Antonio Fernandez y Perez. 110

Perfecto Blanco y Blanco, Appellant, vs. Harry S. Hubbard, United States Marshal etc., et al. 111

These cases were argued by Mr. Frederic D. McKenney, of counsel for the appellants, and submitted on print-

by Mr N. B. K. Pettingill and Mr. F. L. Cornwell, of counsel for the appellee.

Proclamation being made the Court is adjourned

Monday, March 20th, 1911

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Oscar Luckett, it is ordered that Walter Bruce Howe, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Works, it is ordered that Cleveland H. Baker, Esquire, of Carson City, State of Nevada, be admitted to practice as an attorney and counsellor of this

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that Robert S. Blair, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred P. Thom, it is ordered that J. Pembroke Thom, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph D. Sullivan, it is ordered that Harold Remington, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Harr, it is ordered that Paca Oberlin, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Singleton, it is ordered

Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The Baltimore & Ohio Southwestern Railroad Co., Plaintiff in Error,
vs.
The United States.
The Baltimore & Ohio Southwestern Railroad Co. Plaintiff in Error,
vs.
The United States.

It is ordered by the Court that the judgments heretofore entered in these cases, to-wit, on March 14, 1910, be, and the same are hereby, vacated and set aside.

Per Mr. Justice Lamar.

The Baltimore & Ohio Southwestern Railroad Co. Plaintiff in Error,
vs.
The United States.

In Error to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, modified as indicated in the opinion of this Court, and

affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Ohio.

Per Mr. Justice Lamar.

The Baltimore & Ohio Southwestern Railroad Co., Plaintiff in Error, vs. The United States. In Error to the United States Circuit Court of Appeals for the Sixth Circuit.

8

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, modified as indicated in the opinion of this Court, and, as so modified, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Ohio.

Per Mr. Justice Lamar.

Margaret E. Taylor, in her own right and as Executrix of Thomas Taylor, deceased,

vs. Appellant.

Mary J. Leesnitzer, Elizabeth E. Padgett and Franklin C. Padgett

Appeal from the Court of Appeals of the District of Columbia.

No. 15.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs, and that this cause be and the same is hereby remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Holmes

Ex parte: In the matter of the Eastern Cherokees.

No. 15. Original Petitioner

On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that said rule be discharged, and that said petition

Louisville & Nashville Railroad Co.,
905. vs. Appellant,
Adam T. Siler et al

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 10 next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

W. H. Coyle,
941. vs. Plaintiff in Error,
Thomas P. Smith, Secretary of State of the State of Oklahoma.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 3d next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

Leibel Pincus & Glueckman,
944 vs. Appellant,
William Henkel, U. S. Marshal, etc., et al

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned

Monday, March 20th 1911, continued

the cause heretofore assigned for that day.

per Mr. Chief Justice White

576. Globe Printing Co., of St. Louis, vs. Samuel B. Cook. Plaintiff in Error, In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White

952. The Baker Transportation Co., vs. The Steam Tug "John A. Hughes" etc., James E. Hughes, Claimant, et al. Petitioner On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition

Chief Justice White

Erie Railroad Co.,
853. vs. Plaintiff in Error,
Blanche Russell, Administratrix, etc.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. George A. Clement in support of the same, and Mr. F. B. Jennings in opposition thereto. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. F. B. Jennings in support of the same, and Mr. George A. Clement in opposition thereto.

Northern Pacific Railway Co.,
461. vs. Plaintiff in Error,
Michael Golden.

In Error to the Supreme Court of the State of Michigan

This cause having been called to the attention of the Court by Mr. Evans Browne, in behalf of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

E. C. Moore,
vs. Appellant.
925. C. T. Elliott, U. S. Marshal, etc, et al.

On motion of Mr. Henry F. Woodard, counsel for the appellant, and counsel for the appellee consenting thereto, It is now here ordered by the Court that the above-named appellant, E. C. Moore, be released on bail pending the hearing of this appeal, on giving bond in the sum of Three thousand dollars, with sufficient sureties, conditioned according to law, and to be approved by a Judge of the United States Circuit or District Court for the Northern District of California.

per Mr. Chief Justice White.

Young How, sometimes known as Young Chan,
vs. Appellant.
929. Hart N. North, United States Commissioner, etc

The motion to admit the appellant to bail was submitted to the consideration of the Court by Mr. Henry F. Woodard, Mr. A. A. Birney and Mr. Carroll Cook in support of the same, with leave to Mr. Solicitor General Lehmann to file a brief in opposition thereto on or before Friday next.

John A. Knott et al., etc., et al.,
326. vs. Appellants,
Chicago, Burlington & Quincy Railroad Co.—
Chicago, Burlington & Quincy Railroad Co.,
334. vs. Appellant,
John A. Knott et al., etc., et al.

The motion to set aside the submission of these cases and reassign the same for reargument was submitted to the consideration of the Court on printed arguments by Mr. C. M. Spencer and Mr. Frank Hagerman, of counsel for the Railroad Company, in support of the motion, and Mr. Frederick W. Lehmann, Mr. Sanford B. Ladd, Mr. Elliott W. Mayor and Mr. John M. Atkinson, of counsel for Knott et al., in opposition thereto.

The Corporation of St. Anthony in New Bedford,
924. vs. Petitioner,
Michael J. Houlihan.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James E. Cotter in support of the same, and Mr. Franklin T. Hammond in opposition thereto.

The United States,
314. vs. Plaintiff in Error.
William B. Hammers.

The motion for leave to file printed briefs herein as amici curiae and for leave to make oral argument was submitted

Monday, March 20th, 1911, continued

C. Prentiss and Mr Oscar A. Trippet in support of the same.

Proclamation being made the Court is adjourned

Monday, April 3d, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day, Associate
Horace H. Lurton, Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Calvin F. Smith, Asher Seip and J. Willard Paff, Esquires, of Easton, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that James A. Reed and Willard P. Hall, Esquires, of Kansas City, State of Missouri, be admitted to practice as attor-

they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Dale, it is ordered that C. G. Horner, Esquire, of Guthrie, State of Oklahoma, and R. R. Vermilion, Esquire, of Wichita, State of Kansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elihu Root, it is ordered that Elihu Root, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Joshua Reuben Clarke, Jr., Esquire, of Washington, District of Columbia, and W. O. Dunnie, Esquire, of Richmond, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Duncan U. Fletcher, it is ordered that W. P. Bryan, Esquire, of Jacksonville, State of Florida be admitted to practice as

and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Franz C. Kuhn, it is ordered that T. E. Barkworth, Esquire, of Jackson, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jonathan N. Langham, it is ordered that J. Eldon Peelor, Esquire, of Indiana, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George T. Simpson, it is ordered that Clifford L. Hillon, Esquire, of Fergus Falls, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred C. Reelor, it is ordered that Gilbert Holland Stewart, Jr., Esquire, of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday, April 3d, 1911, continued

leaf by Mr. Franklin E. Rapp, it is ordered that Harry C. Fithian, Esquire, of Williamsport, State of Pennsylvania, and Daniel Myron Greene, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William G. Conley, it is ordered that T. A. Brown, Esquire, of Parkersburg, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. E. Olmsted, it is ordered that Fred Ireland, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

72. Dr. Miles Medical Co., Petitioner, vs John D. Park & Sons Co. — On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof it is

by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Kentucky.

per Mr. Justice Hughes.

Dissenting:
Mr. Justice Holmes.
[Mr. Justice Lurton took no part in the consideration and decision of this case.]

81. The Western Union Telegraph Co., Plaintiff in Error, vs. Laurence J. Crovo and Walter D. Crenshaw, partners, trading as Crovo & Crenshaw. In Error to the Law and Equity Court of the City of Richmond, State of Virginia.

This cause came on to be heard on the transcript of the record from the Law and Equity Court of the City of Richmond, State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Law and Equity Court, in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the courts of the

Monday, April 3d, 1911, continued.

87. The Western Union Telegraph Co., Plaintiff in Error, vs. Lawrence J. Crow and Wallie C. Crenshaw, partners, trading as Crow & Crenshaw. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Lurton.

53. Verisimo Vasquez Vilas, Plaintiff in Error & Appellant. vs. The City of Manila. In Error to and Appeal from the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with

such other action as may be consistent with law and the opinion of this Court.

Per Mr. Justice Lurton.

Esperanza Otero Trigas. — In Error to and
Ventura F. Vasquez. — Appeal from the
Maria J. O. Trigas and — Supreme Court of
Florencio V. Bernardez, — the Philippine
511 vs. Plffs in Error & Appts. — Islands.
The City of Manila

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with direction to overrule the demurrer and for such other action as may be consistent with law and the opinion of this Court.

Per Mr. Justice Lurton

Ricardo Aguado. — Appeal from the Su-
207 vs Appellant. — preme Court of the
The City of Manila — Philippine Islands

This cause came on to be heard on the tran-

Monday, April 3d, 1911, continued

the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby remanded to the said Supreme Court with direction to render judgment and such other relief as may seem in conformity with law.

Per Mr. Justice Lurton.

Wells & Company, Limited
vs.
Joseph Hoover et al.

On a certificate from the United States Circuit Court of Appeals for the Third Circuit

101.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the questions certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals

Per Mr. Justice Day.

102. Vicente Garcia Gavieres, Plaintiff in Error, vs. The United States. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed

Dissenting: Mr. Justice Harlan. Per Mr. Justice Day.

95. Rafael Enriquez, in his own name and as Administrator of the estate of Antonio Enriquez, deceased, et al., Appellants, vs. Francisco Saez Co-Tiongco, Florencia Victonia, Francisco Enriquez, and Cho Jan-Ling Appeal from the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Monday, April 3d, 1911, continued.

Theresa Arnett, Katie Reade, Robert Lea, Mary Bugnor and Aaron N. Lea, Appellants, vs. D. M. Reade. 95.

Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Holmes

Dissenting:
Mr. Justice McKenna

The United States, Plaintiff in Error, vs. John J. O'Brien individually and as a member of the firm of Perkins & O'Brien; and Stephen Farrelly as ancillary receiver of the City Trust Safe Deposit and Surety Co. of Philadelphia 108.

In Error to the United States Circuit Court of Appeals for the Second Circuit.

Monday, April 3d, 1911, continued

transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice Holmes.

The State of Oklahoma, Complainant,
13 Original. vs. In Equity
The Atchison, Topeka & Santa Fe Railway Co.

This cause came on to be heard on the bill of complaint and the demurrer of the defendant thereto, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the said bill of complaint be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Justice Harlan.

Monday, April 3d, 1911, continued.

The State of Oklahoma,
No. Orig'l. vs. Complainant. In Equity.
The Atchison, Topeka & Santa Fe Railway Co., Guf. Colorado & Santa Fe Railway Co., St. Louis, Iron Mountain & Southern Railway Co., et al.

This cause came on to be heard on the bill of complaint, and the demurrers of the defendants thereto and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the said bill of complaint be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Harlan.

The State of Oklahoma on the relation of Charles West, Attorney General, as successor to the Territory of Oklahoma, In Error to the Supreme Court of the State of Oklahoma.
No. vs. Plaintiff in Error,
The Chicago, Rock Island & Pacific Railway Co.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is

Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan

536. The United States of America, Appellant. vs. Lehigh Valley Railroad Co. — Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for further proceedings in conformity with the opinion of this Court.

per Mr. Chief Justice White

537. The United States of America, Appellant. vs. Erie Railroad Co. — Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript

States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice White

538. The United States of America, Appellant, vs. The Central Railroad Co. of New Jersey. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice White

539. The United States of America, Appellant, vs. The Pennsylvania Railroad Co. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

script of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice White

Ex parte: In the matter of the State of Oklahoma, Petitioner. } No. 9, Original. On consideration of the petition for a writ of prohibition herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that said rule to show cause be discharged, and that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

Ex parte: In the matter of the State of Oklahoma, Petitioner, } No. 10, Original. On consideration of the petition for a writ of prohibition herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that said rule to show cause be discharged, and that said petition be,

per Mr. Chief Justice White

79 Mariano Martinez, Administrator of Francisco Martinez, deceased, vs. The International Banking Corporation. Appellant. Appeal from the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice White

80 Mariano Martinez, Administrator of Francisco Martinez, deceased, vs. The International Banking Corporation Appellant. Appeal from the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

325. Interstate Commerce Commission, The American Forwarding Co. et al., Appellants, vs. The Delaware, Lackawanna & Western Railroad Co. et al. — Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Chief Justice White.

110. Jose Perez y Fernandez and Victor Ochoa, Appellants, vs. Jose Antonio Fernandez y Perez — Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is

by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court with directions for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice White.

111. Perfecta Blanco y Blanco, Appellant, vs. Harry S. Hubbard, U.S. Marshal for Porto Rico; Jose A. Fernandez y Perez, Frederick Cornebell and Benjamin Horton. Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice White.

314. The United States, Plaintiff in Error, vs. William B. Hammers — On consideration of a motion for leave to file printed briefs and to make oral argument herein as amici curiae, It is now here ordered by the Court that the motion for leave to file printed brief, be, and the same is hereby, granted, and that the motion for leave to make oral argument be, and the same is hereby, denied.

per Mr. Chief Justice White

326. John A. Knott et al., Appellants, vs. Chicago, Burlington & Quincy Railroad Co.

334. Chicago, Burlington & Quincy Railroad Co., Appellant, vs. John A. Knott et al.

On consideration of the motion to set aside the submission of these cases, and to reset the same, It is now here ordered by the Court that the said motion be, and the same is hereby, denied

per Mr. Chief Justice White

929. Yeung How, sometimes known as Yeung Chan, Appellant, vs. Hart H. North, U. S. Commissioner of Immigration, &c. — On consideration of the motion to admit the appellant to bail pending this appeal, It is now here ordered

the same is hereby denied.

Per Mr. Chief Justice White

924. The Corporation of St. Anthony in New Bedford, Petitioner, vs. Michael J. Houlihan. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

712. J. S. Mullen et al., Appellants, vs. The United States

713. Alfred F. Goat et al., Appellants vs. The United States

781. The Deming Investment Co., Appellant vs. The United States

881. P. E. Heckman et al., Appellant vs. The United States.

Mr. Solicitor General Lehmann, of counsel for the appellee, submitted to the consideration of the Court a motion to advance these cases.

Monday, April 3d, 1911, continued.

963 Henry A. Wise, Plaintiff in Error;
vs.
Lawrence A. Mills et al., Henry A. Wise, individually, etc.,
964 vs. Appellant.
William Henkel, United States marshal

Mr. Solicitor General Lehmann, of counsel for the plaintiff in error and appellant, submitted to the consideration of the Court a motion to advance these cases.

146 The United States of America ex rel. William A. Boyer,
vs. Plaintiff in Error;
Edward B. Moore, Commissioner of Patents.

In Error to the Court of Appeals of the District of Columbia

This cause having been called to the attention of the Court by Mr. Solicitor General Lehmann, of counsel for the defendant in error, and a stipulation to dismiss the writ of error in this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

946 The Chesapeake & Ohio Railway Co.,
vs. Petitioner
Juan D. McKee, Ad-

The petition for a writ of certiorari herein was submit-

on printed arguments by Mr. Judson Harmon, Mr. F. B. Enslow and Mr. Edward Colston in support of the same, and Mr. John N. Holt, Mr. James F. Brown and Mr. Murray Seasongood in opposition thereto.

959. D. H. Hallock, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank Dale, Mr. A. G. C. Biren, Mr. Earl W. Evans and Mr. R. R. Vermilion in support of the same and Mr. Attorney General Wickersham and Mr. Solicitor General Lehmann in opposition thereto.

960. James H. Burton, Petitioner, vs. Curtis M. Jennings, sole surviving partner &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George H. Taylor, Jr., and Mr. Charles R. Carruth in support of the same, and Mr. Nelson Zabriskie in opposition thereto.

Monday, April 3d, 1911, continued.

979. Lucien B. Wilson, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. T. A. Brown and Mr. James S. McElver in support of the same, and Mr. Solicitor General Lehmann and Mr. Assistant Attorney General Harr in opposition thereto.

Ex parte: In the matter of Metropolitan Water Co. of West Virginia, Original Petitioner. Mr Willard S. Hall, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

825. Harry L. Burgoyne, Trustee, et al., Appellants, vs. Patrick E. McKillip et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Francis A. Brogan in support of the same, and Mr. C. C. Flaneburg in opposition thereto.

Worth, Maison La Ferriere and Guillot & Cie,
966. vs. Petitioners,
Charles A. Chase, Trustee, &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Samuel W. Cooper in support of the same.

The Chesapeake & Ohio Railway Co.,
657. vs. Plaintiff in Error,
W. G. Conley, Attorney General, et al.

The motion to advance this cause was submitted to the consideration of the Court on printed arguments by Mr. W. G. Conley in support of the same, and Mr. T. B. Enslow, Mr. N. T. Wickham, and Mr. W. E. Chilton in opposition thereto.

Ex parte: In the matter of Howard B. Manington et al.,
— Original Petitioners,

Mr. R. W. McCoy, of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Harry L. Burgoyne, Trustee, et al
828. vs. Appellants,
Patrick E. McKillip

The petition for a writ of certiorari herein was submitted to the consideration of

arguments by Mr. C. C. Flansburg in support of the same, and Mr. Francis A. Brogan in opposition thereto, and leave was granted counsel for the appellants to file an additional brief herein within two days.

Guardian Assurance Co. of London, Limited
vs. Plaintiff in Error.
Domingo Quintana

Mr. C. L. Bouvé, of counsel for the defendant in error, presented a certificate of the Clerk of the District Court of the United States for Porto Rico, and submitted to the consideration of the Court a motion to docket and dismiss this cause.

Edwin M. Keatley, Receiver, etc.,
612. vs. Appellant,
Carrie Rebecca Furey, Executrix, etc., et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Levy Mayer in support of the same, and Mr. F. W. Houghton and Mr. George B. Edgerton in opposition thereto.

George Bird et al., individually and as trustees, &c.,
328. vs. Appellants,
James M. Ashton et al.

The motion to dismiss or affirm in this cause was submitted to the

the court on the record and printed arguments by Mr. Frederic D. McKenney, Mr. W. H. Doolittle, Mr. J. M. Ashton and Mr. W. P. Bell in support of the same, and Mr. Benjamin S. Grosscup in opposition thereto.

	The United States of America on the relation of Herman Knight.	Mr. Frederic D. McKenney, of counsel for the
758.	Plaintiff in Error.	plaintiff in error,
	Richard A. Ballinger, Secretary of the Interior	suggested the

resignation of Richard A. Ballinger, and the appointment of Walter L. Fisher as his successor as Secretary of the Interior, and moved the court to make the said Walter L. Fisher as Secretary of the Interior the party defendant in error in this cause. Whereupon, It is now here ordered by the court that the said Walter L. Fisher, Secretary of the Interior, be, and he is hereby, made the party defendant in error in this cause.

	J. C. Webber,	In Error to the
156.	vs. Plaintiff in Error.	Supreme Court of
	The State of Missouri	the State of Missouri

It appearing to the court that a motion of counsel for the plaintiff in error to dismiss

Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Catherine Schlemmer, now Catherine Craig, Plaintiff in Error,
311. vs.
The Buffalo, Rochester & Pittsburgh Railway Co.

This cause was argued by Mr. Frederic D. McKenney, of counsel for the plaintiff in error, and Mr. Marlin E. Olmsted, of counsel for the defendant in error.

Christopher Straesheim, Sheriff, etc., Appellant,
638. vs.
Milton Daily.

The argument of this cause was commenced by Mr. Thomas E. Barkworth, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Tuesday, April 4th, 1911.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph H. McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar,
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Wm. Robert W. Bonynge, it is ordered that Wilbur F. Denious, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1140 Dennis C. Shea, Appellant. vs. Henry B. F. Macfarland et al., Commissioners of the Dist. of Columbia [Dec.]

Mr. Edward H. Thomas, of counsel for the appellees, suggested the return

1141 Arthur Briscoe, Appellant. vs.

office of Henry B. F. Macfarland, Henry L. West and J. J. Morrow and the appointment of Cuno H. Rudolph, John A. Johnston and William V. Judson as their successors as Commissioners of the District of Columbia, and moved the Court to make the said Cuno H. Rudolph, John A. Johnston and William V. Judson as Commissioners of the District of Columbia, parties appellees in these cases. Whereupon, It is now here ordered by the Court that the said Cuno H. Rudolph, John A. Johnston and William V. Judson, Commissioners of the District of Columbia, be, and they are hereby, made parties appellees in these cases

638. Christopher Straesheim, Sheriff, etc., vs. Appellant, Million Daily. The argument of this cause was continued by Mr. Thomas E. Barkworth, of counsel for the appellant, and Mr. William S. Forrest, of counsel for the appellee, and concluded by Mr. Thomas E. Barkworth, of counsel for the appellant.

916 Charles West, Attorney General of the State of Oklahoma, vs. Appellant, The Kansas Natural Gas Co. The argument of this cause was commenced by Mr. C. B. Ames

Tuesday, April 4th, 1911, continued

the appellant, and continued by Mr. D. T. Watson, of counsel for the appellee.

Proclamation being made the Court is ad

Wednesday, April 5th. 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Benjamin D. Warfield it is ordered that Robert J. Carey, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. A. Pradt, it is ordered that Chauncey E. Richardson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. L. Hamilton, it is ordered that Charles W. Stratton, Esquire, of St. Joseph, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. C. Curlin, it is ordered that Frederic M. P. Pearce, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Johnson, it is ordered that William J. Conlen, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Charles West, Attorney General of the State of Oklahoma,

916. vs Appellant,

The Kansas Natural Gas Co. et al.

The argument of this cause was continued by Mr. D. T. Watson and Mr. John G. Johnson, of counsel for the appellees, and concluded by Mr. Charles West, of counsel for the appellant.

941. W. H. Coyle, Plaintiff in Error, vs. Thomas P. Smith, Secretary of State of the State of Oklahoma, et al.

On motion of Mr. Frank Dale, leave is hereby granted to three counsel on each side to be heard orally in this case.

941. W. H. Coyle, Plaintiff in Error, vs. Thomas P. Smith, Secretary of State of the State of Oklahoma, et al.

The argument of this case was commenced by Mr. Frank Dale, of counsel for the plaintiff in error, and continued by Mr. Charles West, of counsel for the defendant in error, and Mr. C. G. Hornor, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Thursday, April 6th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. D. W. Baker, it is ordered that John E. Eggers, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Antonio Knauth, it is ordered that Hans v. Briesen, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday, April 6th, 1911, continued

On motion first made to the Court in this behalf by Mr. Francis Burton Harrison, it is ordered that Amos L. Taylor, Esquire, of Belmont, State of Massachusetts, and Irving J. Joseph, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

944. W. H. Coyle, Plaintiff in Error, vs. Thomas P. Smith, Secretary of State of the State of Oklahoma. The argument of this cause was continued by Mr. C. G. Hornor, of counsel for the plaintiff in error, and Mr. B. F. Burwell and Mr. Joseph W. Bailey, of counsel for the defendant in error, and concluded by Mr. John A. Burford, of counsel for the plaintiff in error.

944. Leibel Pincus & Gluckman, Appellant, vs. William Henkel, United States Marshal, etc., et al. The argument of this cause was commenced by Mr. Charles Dushkind, of counsel for the appellant, and continued by Mr. Frederic R. Coudert, of counsel for the appellees.

Proclamation being made, the Court is adjourned

Friday. April 7th. 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices.
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. C. E. Townsend, it is ordered that Robert E. Bunker, Esquire, of Ann Arbor, and James C. McLaughlin, Esquire, of Muskegon, State of Michigan be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. William Sulzer, it is ordered that Adam Dixon Warner, Esquire, of Los Angeles, State of California, be admitted to

On motion first made to the Court in this behalf by Mr. George A. Lamar, it is ordered that W. Vincent Robbins, Esquire, of Ponce, Porto Rico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus O. Bacon, it is ordered that J. T. Norris, Esquire, of Cartersville, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

944. Leibel Pincus vs. William Henkel, United States Marshal, etc., et al. Appellant. The argument of this cause was concluded by Mr. Charles Duchstind, of counsel for the appellant.

112. Joaquin Jover y Costas, vs. Appt & Plff in Error, The Insular Government of the Philippine Islands et al.

113. The Insular Government of the Philippine Islands et al., vs. Appts & Plffs in Error, Joaquin Jover y Costas. These cases were argued by Mr. A. B. Browne, of counsel for Costas and Mr. Assistant Attorney General Fowler, of counsel for The Insular

Proclamation being made, the Court is [illegible] until Monday next at 12 o'clock.

Monday, April 10, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that A. N. Frost, Esquire, of Lawrence, and Thomas N. Gage, Esquire, of Worcester, State of Massachusetts, and Lambert E. Walther, Esquire, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. Walsh, it is ordered that Edward Conkle, Esquire, of New York

and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Yerkes, it is ordered that Barry Wright, Esquire, of Rome, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Hemphill, it is ordered that Timothy J. Deofield, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. B. Gilfillan, it is ordered that Edward S. Avery, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward Barton, it is ordered that George H. Warrington, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behal

Louis H. Valentine, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

36. Diamond Rubber Co. of New York, Petitioner, vs. Consolidated Rubber Tire Co. and Rubber Tire Wheel Co.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice McKenna.

(Mr. Justice Day and Mr. Justice Lurton took no part in the decision of this case)

Monday, April 10th, 1911, continued.

104.	The Shawnee Sewerage & Drainage Co. vs. Frank P. Stearne, as Mayor of the City of Shawnee, et al. Appellant.	Appeal from the Circuit Court of the United States for the Western District of Oklahoma.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed, the costs in this court to be paid by the appellant; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to sustain the demurrer for want of jurisdiction, and on that ground dismiss the bill.

Per Mr. Justice McKenna

106.	Standard Paint Co. vs. Trinidad Asphalt Manufacturing Co. Appellant.	Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the tran-

Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri.

Per Mr. Justice McKenna.

(Mr. Justice Hughes concurs in the result.)

105. Chicago, Burlington & Quincy Railway Co., Petitioner, vs. Erastus W. Willard, Administrator of the estate of Harold R. Wellman, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and

Circuit Court of the United States for the Northern District of Illinois.

Per Mr. Justice Harlan.

326. John A. Knott et al., Railroad and Warehouse Commissioners, et al., Appellants, vs. Chicago, Burlington & Quincy Railroad Co.

331. Chicago, Burlington & Quincy Railroad Co., Appellant, vs. John A. Knott et al., Railroad and Warehouse Commissioners, et al.

It is ordered by the Court that these cause be restored to the docket for re-argument.

Per Mr. Chief Justice White.

657. The Chesapeake & Ohio Railway Co., Plaintiff in Error, vs. W. H. Cowley, Attorney General, et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 10th next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White

712 J. S. Mullen et al., Appellants, vs. The United States
713. Alfred F. Float et al., Appellants, vs. The United States
781 The Deming Investment Co. Appt. vs The United States
88. P. E. Heckman et al., Appellants, vs. The United States

On consideration of the motion to advance these cases, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cases assigned for argument on Tuesday, October 10th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White.

963. Henry A. Wise, Plaintiff in Error, vs. Lawrence A. Mills et al. Henry A. Wise, Individually and as U. S. Attorney etc.,

964. vs. Appellant, William Henkel, U. S. Marshal, etc.

On consideration of the motion to advance these cases, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cases assigned for argument on Monday, the 24th instant, and the time for argument limited to one hour on each side.

per Mr. Chief Justice White

	The Chesapeake & Ohio Railway Co. vs. Petitioner. Jean D. McKell, Administratrix of Thomas G. McKell, deceased.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.
946		

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

	D. H. Hallock. vs. Petitioner. The United States.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.
954		

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

460 James H. Burton. vs. Curtis M. Jennings, as sole surviving partner of the firm of Berthold & Jennings. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

966 Worth, Maison La Ferriere and Guillot & Cie., vs. Charles A. Chase, Trustee in Bankruptcy of George A. Ballantine. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

979. Lucien B. Wilson, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied

per Mr. Chief Justice White

612. Edwin M. Keatley, as Receiver, etc., Appellant, vs. Carrie Rebecca Furey, as Executrix, etc. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice White

328. George Bird, Joseph Swoyall, Charlie Natiacum et al., Appellants, vs. James M. Ashton, William Jones, Ida Jones, his wife, et al. Appeal from the Circuit Court of the United States for the Western District of Washington

This cause came on to be heard on the transcript

United States for the Western District of Washington, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

Ex parte: In the matter of Metropolitan Water Co., of West Virginia. Petitioner, 19, Original

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, granted

Per Mr. Chief Justice White

Ex parte: In the matter of Metropolitan Water Co., of West Virginia. Petitioner. 19, Original

On consideration of the petition for a writ of mandamus herein, It is now here ordered by the Court that cause be shown by the Honorable Smith McPherson, Acting District Judge of the United States for the District of Kansas, and the Circuit Court of the United States for the District of Kansas, before this Court, at the City of Washington,

noon of that day, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be granted as prayed in said petition.

per Mr. Chief Justice White

Ex parte: In the matter of Howard D. Manington Fred A. Schodinger and Ralph E. Westfall. Petitioners, Original.

On consideration of the motion for leave to file a petition for a writ of mandamus herein,

It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

The Chief Justice announced that there will be no session of the Court on Friday, the 14th instant.

554 The Interstate Commerce Commission, Appellant, vs. Harry J. Diffenbaugh et al.

555 The Interstate Commerce Commission, Appellant, vs. F. A. Peavey & Co., et al.

556 Union Pacific Railroad Co., Appellant, vs. F. A. Peavey & Co. et al.

Mr. Solicitor General Lehmann submitted to the consideration of the Court a motion to advance these cases.

802. The Interstate Commerce Commission, vs. Union Pacific Railroad Co et al. Appellant.

803. The Interstate Commerce Commission, vs. Northern Pacific Railway Co. et al. Appellant.

804. The Interstate Commerce Commission, vs Great Northern Railway Co et al. Appellant.

Mr. Solicitor General Lehmann, submitted to the consideration of the Court a motion to advance these cases.

976. The Eagle White Lead Co., vs Albert Pfleugh et al. Petitioner.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. N. Singleton and Mr. Charles E. Riordon in support of the same, and Mr. Clifton B. Edwards and Robert Watson in opposition thereto.

986. John N. Wikle, Trustee, &c., vs. Mrs. M. C. Jones et al. Petitioner,

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. J. T. Norris in in support of the same.

928. Chicago, St. Paul, Minneapolis and Omaha Railway Co., Petitioner. vs. Bud R. Latta. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Benjamin T. White and Mr. Earl C. Wright in support of the same, and Mr. A. C. Brome in opposition thereto.

983. Metropolitan Water Co. of West Virginia, Petitioner. vs. The Kaw Valley Drainage District of Wyandotte County, Kansas, et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Willard P. Hall, Mr. C. F. Hutchings and Mr. O. L. Miller in support of the same.

919 Benjamin W. Hubbard, Plaintiff in Error, vs. Worcester Art Museum. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John C. Gray and Mr. Roland Gray in support of the same and Mr. Charles A. Snow and Mr. Joseph H. Knight in opposition thereto.

814. Thomas J. Lynch, Executor, etc., Petitioner. vs. The Travelers Insurance Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr George W. Heulton in support of the same, and Mr. R. Ross Perry and Mr. R. Ross Perry, Jr., in opposition thereto.

5. Original. The People of the State of New York, Complainants, vs. The State of New Jersey et al. — The motion for the appointment of a commissioner to take the testimony herein and for an order fixing the time for taking such testimony was submitted to the consideration of the Court on printed briefs by Mr. Maurice B. Dean, of counsel for the complainants in support of the motion, and Mr. Edmund Wilson, Mr. Joseph Cowet and Mr Robert H. McCarter, of counsel for the defendants in opposition thereto.

991. Egbert N. Gold, Petitioner, vs. William P. Cosper et al.

992. Egbert N. Gold. Petitioner vs William P. Cosper. — The petitions for writs of certiorari and writs of error in these cases were submitted to the consideration of the Court by Mr.

and Mr Charles Neave in opposition thereto.

115. American Lithographic Co., Plaintiff in Error, vs. Emil Werckmeister. This cause was argued by Mr William A. Jenner of counsel for the plaintiff in error, and Mr. Antonio Knauth, of counsel for the defendant in error.

116. George R. Blinn, Receiver, &c., Plaintiff in Error, vs. George Ella Nelson et al. This cause was argued by Mr. Amos L. Taylor, of counsel for the defendants in error and submitted on a printed argument by Mr. George R. Blinn, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Tuesday, April 11th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. George H. Terriberry, it is ordered that William R. Thurmond, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that James L. Coleman, Esquire, of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Sutherland, it is ordered that Curtis J. Budle, Esquire, of Holdrege State of Nebraska, and Abram C. Hatch, Esquire, of Heber City, State of Utah, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert Jackson, it is ordered that Frank Wright Cottle, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James N. Harkless, it is ordered that Albert S. Marley, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

117. Northern Pacific Railway Co., et al., Appellants, vs. John Trodick. This cause was argued by Mr. Charles Donnelly, of counsel for the appellants, and Mr. Thomas J. Walsh, of counsel for the appellee.

120 Rat Portage Lumber Co., Plaintiff in Error
vs.
The State of Minnesota

121. Lesure Lumber Co., Plaintiff in Error,
vs.
The State of Minnesota

These cases were argued by Mr. R. R. Briggs, of counsel for the plaintiff in error in No. 120, and Mr. George T. Simpson, of counsel for the defendant in error, and submitted on a printed argument by Mr. M. N. Stanford, of counsel for the plaintiff in error in No. 121.

122. J. N. Bean et al., Petitioners
vs.
W. A. Morris et al.

The argument of this cause was commenced by Mr. Thomas J. Walsh, of counsel for the petitioner.

Proclamation being made, the Court is ad

Wednesday, April 12th. 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes.
William R. Day Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Julius Kahn, it is ordered that W. W. Allen, Esquire, of San Francisco State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. W. Rucker, it is ordered that Harry T. Weeks, Esquire, of Long Island City, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Needham, it is ordered that Seth Mann, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Sarah O. Devou,
123. vs. Plaintiff in Error,
Cincinnati, Covington & Erlanger Railway Co.

Mr. Herbert Jackson, of counsel for the plaintiff in error, suggested the death of Sarah O. Devou, the plaintiff in error in this cause, and moved the Court to make William P. Devou, executor of the last will and testament of the said Sarah O. Devou, the party plaintiff in error in this cause. Whereupon, It is now here ordered by the Court that the said William P. Devou as executor of the last will and testament of the said Sarah O. Devou, deceased, be, and he is hereby, made the party plaintiff in error in this cause.

J. N. Beaty et al.,
122. vs. Petitioners.
W. A. Morris et al.

On motion of Mr. Andrew Wilson, leave is hereby granted to withdraw the appearance of Andrew Wilson and Noel W. Barksdale, as counsel for the respondents in this cause.

122 J. N. Bean et al. Petitioners vs. W. A. Morris et al

The argument of this cause was continued by Mr. Thomas J. Walsh, of counsel for the petitioners, and Mr. William M. Ellison, of counsel for the respondent Howell, and concluded by Mr. Thomas J. Walsh, of counsel for the petitioners.

123 William P. Devou, Executor, etc., Plaintiff in Error, vs. Cincinnati, Covington & Erlanger Railway Co.

The argument of this cause was commenced by Mr. Herbert Jackson, of counsel for the plaintiff in error.

The Court declined to hear further argument.

311 The United States, Plaintiff in Error, vs. William B. Hammers.

The argument of this cause was commenced by Mr. Ernest Knaebel of counsel for the plaintiff in error, and continued by Mr. L. N. Valentine, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Thursday, April 13th, 1911

(Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices.
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. N. Garland Dupré, it is ordered that Monte M. Lemann, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. E. Townsend, it is ordered that Charles L. Bartlett, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and

On motion first made to the Court in this behalf by Mr. Kenneth S. Murchison, it is ordered that Edward C. Criswell, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew J. Peters, it is ordered that Ernest O. Hilek, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. James P. Clarke it is ordered that Henry L. Fitzhugh, Esquire, of Fort Smith, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. A. S. Browne, it is ordered that William R Wood, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Humphrey, it is ordered

State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

314. The United States, Plaintiff in Error, vs. William B. Hammers. The argument of this cause was continued by Mr. L. A. Valentine, of counsel for the defendant in error, and concluded by Mr. Ernest Knaebel, of counsel for the plaintiff in error.

433 The United States, Plaintiff in Error, vs. O. A. Johnson. This cause was argued by Hon. Solicitor General Lehmann, of counsel for the plaintiff in error, and Mr. James A. Harkless, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Monday, April 17th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Terence Farley, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. J. Lonch, it is ordered that Sidney Stein, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. S. R. Bond, it is ordered that Emory A. Bryant, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathaniel Wilson, it is ordered that Paul E. Leeh and Alvin L. Newmyer, Esquires, of Washington, District of Columbia be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip P. Campbell, it is ordered that John M. Wayde, Esquire, of Pittsburg, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Irwin B. Linton, it is ordered that Rodelphus N. Gilmore, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this be-

that Stephen B. Davis, Jr., Esquire, of Las Vegas, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

103. J. W. Perry Co. and John L. Roper, vs. The City of Norfolk, Virginia — Plaintiffs in Error. In Error to the Supreme Court of Appeals of the State of Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

104. William H. White, vs. The City of Norfolk, Virginia — Plaintiff in Error. In Error to the Supreme Court of Appeals of the State of Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of

hereby affirmed with costs.

Per Mr. Justice Lamar.

828. Harry L. Burgoyne, Trustee, and The Union Central Life Insurance Co. vs. Patrick E. McKillip, A. Eugene McKillip, and Royal P. Drake, as Trustee in Bankruptcy of the Estate of Patrick E. McKillip. Appellants, Appeal from the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr Chief Justice White

828. Harry L. Burgoyne, Trustee, and The Union Central Life Insurance Co. vs. Patrick E. McKillip et al. Appellants

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals

of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

William P. Devou, Executor of the last will and testament of Sarah O. Devou, deceased, Plaintiff in Error, vs. Cincinnati, Covington & Erlanger Railway Co. — In Error to the Court of Appeals of the State of Kentucky.

123.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

Benjamin W. Hubbard, Plaintiff in Error, vs. Worcester Art Museum — In Error to the Circuit Court of the United States for the District of Massachusetts

919.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massa-

which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White.

Rat Portage Lumber Co.
120. vs. Plaintiff in Error;
The State of Minnesota

In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr Chief Justice White

Leuire Lumber Co.
121 vs. Plaintiff in Error;
The State of Minnesota.

In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

The Interstate Commerce Commission.
554 vs. Appellant.
Harry J. Diffenbaugh et al.
The Interstate Commerce Commission.
555 vs. Appellant.
F. H. Peavey & Co., et al.
Union Pacific Railroad Co.
556. vs. Appellant.
F. H. Peavey & Co. et al.

On consideration of the motion to advance these causes. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument on Tuesday, October 10th next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White

The Interstate Commerce Commission.
802. vs. Appellant.
Union Pacific Railroad Co. et al
The Interstate Commerce Commission.
803 vs. Appellant.
Northern Pacific Railway Co. et al.
The Interstate Commerce Commission
804. vs. Appellant.

On consideration of the motion to advance these causes. It is now here ordered by the Court that said motion be and the same is hereby, granted and the cause assigned for ar-

day, October 10th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

928. Chicago, St. Paul, Minneapolis & Omaha Railway Co. vs. Petitioner. Bud R Latta. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted

Per Mr. Chief Justice White

814. Thomas J. Lynch, Executor of Fred S. Thorne, deceased. Petitioner vs. The Travelers Insurance Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said peti-

Per Mr. Chief J. [illegible]

976. The Eagle White Lead Co. vs. Albert Pflugh, and Philip Steinwald, co-partners doing business under the name of Pflugh & Co. — Petitioner. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

983. Metropolitan Water Co. of West Virginia, vs. The Kaw Valley Drainage District of Wyandotte County, Kansas, et al. — Petitioner, — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

	John N. Wickle, as Trustee of T. R. Jones Bankrupt.	On petition for writ of certiorari to the
986	vs. Petitioner	United States Circuit
	Mrs. M. C. Jones, Mrs. Annie L. Proctor, et al	Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice White.

	Egbert H. Gold,	On petition for writ of cer
991	vs. Petitioner	tiorari to the Court of
	William S. Cosper and Edward E. Gold.	Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice White

991. Egbert H. Gold. vs. William P. Cooper and Edward E. Gold. Petitioner

On consideration of the petition for a writ of error herein to the Court of Appeals of the District of Columbia, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

992. Egbert H. Gold, vs. William P. Cooper. Petitioner

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

992. Egbert H. Gold. vs. William P. Cooper. Petitioner,

On consideration of the petition for a writ of error herein to the Court of Appeals of the District of Columbia, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

Order.

The Reporter having represented that, owing to the number of decisions at the present term, it would be impracticable to put the reports in one volume; It is, therefore, now here ordered that he publish an additional volume in this year, pursuant to section 681 of the Revised Statutes.

per Mr. Chief Justice White.

830. The United States, Plaintiff in Error, vs. Fred A. Brooke and Joseph Brooke, doing business as Joseph Brooke & Co. — In Error to the District Court of the United States for the Southern District of New York.

This cause having been called to the attention of the Court by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, and he having filed a stipulation of counsel for the respective parties to dismiss the writ of error in this cause, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice White

655	The United States. vs. Herman F. Garbish. (Plaintiff in Error.)	Mr. Solicitor General Lehmann submitted to the consideration of the Court motions to advance these cases.
789	The United States. vs. Conrad L. Styler. (Plaintiff in Error.)	
819	The United States. vs. John Morgan et al. (Plaintiff in Error.)	
821.	The United States. vs. The Baltimore & Ohio South-western Railroad Co. (Plaintiff in Error.)	
970.	The Boise Artesian Hot & Cold Water Co., Limited vs. Boise City, Idaho. (Petitioner.)	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. B. Heyburn and Mr. Richard H. Johnson in support of the same, and Mr. Oliver O. Hagan in opposition thereto.
926	M. L. Samuels, vs. Charles A. Read, Trustee &c. (Appellant.)	The motion to set aside the decree of dismissal entered herein, and for leave to docket the case was submitted to the consideration of the Court on printed arguments by Mr. Jackson H. Ralston, Mr. Isidor Rayner and Mr.

Mr. B. Z. Phillips, and Mr. John M. Slaton in opposition thereto.

173 The Kansas City Southern Railway Co., Plaintiff in Error, vs. C. H. Albers Commission Co. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Philip Pitt Campbell and Mr. John M. Wayde in support of the same, and Mr. Samuel W. Moore in opposition thereto.

980. Mattie B. Duffer, Petitioner, vs. Herbert L. Seefeld. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Winchester Keles in support of the same.

995. Ina Law Robertson, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Edwin M. Ashcraft in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto on or before Friday next.

996. W. J. Duff vs Atlantic Coast Line Railroad Co. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frederick S. Tyler and Mr. A. J. Montague in support of the same, and Mr. Wm. B. McIlwaine in opposition thereto.

1003. May Virginia Miller, vs The West Virginia Pulp and Paper Co. et al. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. J. Kemp Bartlett and Mr. Maynard F. Stiles in support of the same, and leave was granted counsel for the respondent to file motion to dismiss and brief in opposition to the petition within ten days.

1001. Merritt & Chapman Derrick & Wrecking Co., vs Cornell Steamboat Co. Petitioner, The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. Philip Wardner and Mr. Eugene P. Carver in support of the same, and Mr. J. Parker Kirlin in opposition thereto.

1005 John Stirlen vs. The United States. Petitioner

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Tracy L. Jeffords in support of the same, and Mr. Solicitor General Lehmann and Mr. Assistant Attorney General Harr in opposition thereto.

977 Guaranty Trust Co. of New York vs. Chicago Railways Co. et al. Petitioner,

978 Julien T. Davies et al., vs. Chicago Railways Co. et al. Petitioners.

The petition for writ of certiorari in these cases was submitted to the consideration of the Court on printed arguments by Mr. John C. Spooner and Mr. John Barton Payne in support of the same, and Mr. Henry S. Robbins, Mr. Martin H. Foe and Mr. W. W. Gurley in opposition thereto.

916 Charles West, Attorney General, etc., vs. The Kansas Natural Gas Co. et al. Appellant.

On motion of Mr. John G. Johnson, of counsel for the appellees, leave is hereby granted counsel for the appellees to file an additional brief herein, and on motion of Mr. Evans Browne, in behalf of

counsel for the appellant to file a reply brief herein.

	Texas & New Orleans Railroad Co., et al.,	The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the record and printed arguments by Mr. John W. Parker in support of the same, and Mr. Maxwell Evarts, Mr. N. M. Garwood and Mr. A. L. Jackson in opposition thereto.
831	vs. Plaintiffs in Error,	
	Fannie Miller et al.	
	Texas & New Orleans Railroad Co., et al.,	
832	vs. Plaintiffs in Error,	
	Felix Gross et al	

	The Hannibal Bridge Co., et al.,	The argument of this cause was commenced by Mr. Wells A. Blodgett, of counsel for the plaintiffs in error; continued by Mr. R. Burnham Moffat, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Harr, of counsel for the defendant in error, and concluded by Mr. R. Burnham Moffat, of counsel for the plaintiffs in error.
100	vs. Plaintiffs in Error,	
	The United States.	

	The Baltimore & Ohio Railroad Co.,	The re-argument of this cause was commenced by Mr. Frederic D. McKenney, of counsel for the appellant.
222.	vs. Appellant,	
	The Interstate Commerce Commission	

Proclamation being made, the Court is ad-

Tuesday, April 18th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John W. Davis, it is ordered that Charles McCamic, Esquire, of Wheeling, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. Hilton Jackson, it is ordered that David A. Butz and Riley A. Blessing, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn

153 The Western Union Telegraph Co., vs. Abe Cohn — Plaintiff in Error, In Error to the Supreme Court of Appeals of the State of Virginia.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

157 The Western Union Telegraph Co., vs. Abe Cohn. — Plaintiff in Error, In Error to the Circuit Court of the City of Richmond, State of Virginia

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

168. Western Union Telegraph Co vs. George J. Tamer. Plaintiff in Error. In Error to the Circuit Court of Wise County, State of Virginia

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

169. Western Union Telegraph Co., vs. George J. Tamer. Plaintiff in Error, In Error to the Supreme Court of Appeals of the State of Virginia

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

Belle Burdett, Mattie Ledbetter and J. W. Ledbetter, Plaintiffs in Error,
648. vs. In Error to the Supreme Court of the State of
Sudie M. Burdett et al. Oklahoma.

It appearing to the Court that a motion of counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

The Baltimore & Ohio Railroad Co., Appellant,
222. vs.
The Interstate Commerce Commission.

The re argument of this cause was continued by Mr. Frederic D. McKenney, of counsel for the appellant, and Mr. Solicitor General Lehmann, of counsel for the appellee, and concluded by Mr. John G. Johnson, of counsel for the appellant.

Mariano F. Sena, Plaintiff in Error,
73. vs.
American Turquoise Co.

This cause was argued by Mr. Frank W. Clancy, of counsel for the plaintiff in error, and Mr. Matt G. Reynolds, of counsel for the defendant in error.

Liverpool & London & Globe Insurance Co. of New York,
92. vs. Plaintiff in Error;
The Board of Assessors of the Parish of Orleans, et al.
Orient Insurance Co. et al.,
397 vs. Plaintiffs in Error;
The Board of Assessors for the Parish of Orleans et al.

On motion of Mr. George H. Terriberry, leave is hereby granted to three counsel to argue these cases orally on behalf of the defendants in error.

Liverpool & London & Globe Insurance Co. of New York,
92. vs. Plaintiff in Error;
The Board of Assessors of the Parish of Orleans et al.
Orient Insurance Co. et al.,
397 vs. Plaintiffs in Error;
The Board of Assessors for the Parish of Orleans et al.

The argument of these cases was commenced by Mr. Monte M. Lemann of counsel for the plaintiffs in error.

Proclamation being made, the Court is ad-

Wednesday, April 19th. 1911

Pursuant to adjournment, the Court met to day, at the Capitol.

Present:

The Honorable Edward D White, Chief Justice.
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day — Associate
Horace H. Lurton — Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Louis J. Dodd, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Hall Jones, it is ordered that Thomas E. O'Brien, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Grand Trunk Western Railway Co.
138. vs. Plaintiff in Error.
The Railroad Commission of Indiana et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Samuel Parker of counsel for the plaintiff in error, and Mr. E. C. Field and Mr. A. R. Kurrie, of counsel for the defendants in error.

Liverpool & London & Globe Insurance Co. of New York,
92. vs. Plaintiff in Error.
The Board of Assessors of the Parish of Orleans et al.
Orient Insurance Co. et al.,
397. vs Plaintiffs in Error,
The Board of Assessors for the Parish of Orleans et al.

The argument of these cases was continued by Mr. Monte M. Lemann, of counsel for the plaintiffs in error, and Mr. Harry P. Sneed, Mr. George N. Terriberry and Mr. N. Garland Dupré, of counsel for the defendants in error, and concluded by Mr. Alexander C. King, of counsel for the plaintiffs in error.

Morris Canal & Banking Co., et al.,
124. vs. Plaintiffs in Error.
David Baird et al.

It is ordered by the Court that this cause be, and the same is hereby, contin-

128 The Sperry & Hutchinson Co., Plaintiff in Error, vs. Aida T. Rhodes. The argument of this cause was commenced by Mr. John Hall Jones, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Thursday, April 20th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day — Associate
Horace H. Lurton — Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James A. Fowler, it is ordered that Tristam Burges Johnson and B. W. B. Brown, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Sutherland, it is ordered that William D. Riter, Esquire, of Salt Lake City, and S. T. Corn, Esquire, of Ogden, State of Utah, be admitted to practice as attorneys and counsellors of this Court, and they were

sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank W. Clancy, it is ordered that Ralph C. Ely, Esquire, of Deming, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. J. Peters, it is ordered that Gordon Knox Bell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

128. The Sperry & Hutchinson Co., vs. Aida T. Rhodes, Plaintiff in Error. The argument of this case was continued by Mr. John Hall Jones, of counsel for the plaintiff in error. The Court declined to hear further argument.

130. William Crozier, vs. Fried. Krupp Aktiengesellschaft, Petitioner. This cause was argued by Mr. Stuart McNamara, of counsel for the petitioner, and Mr. William A. Jenner, of counsel for the respondent

Louis A. Dowdell, Jr., et al.,
131. vs. Plaintiffs in Error,
The United States.

This cause was argued by Mr. Charles F. Consaul of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Fowler, of counsel for the defendant in error.

Albert S. Apsey, Receiver, &c.,
132. vs. Plaintiff in Error,
Sidney A. Wilbur, Executor
Albert S. Apsey, Receiver, &c.,
133. vs. Plaintiff in Error,
Anna M. Whittemore

These cases were argued by Mr. George L. Wilson, of counsel for the plaintiff in error, and Mr. Wilbur N. Powers, of counsel for the defendants in error.

Alexander E. Faber et al., &c.,
131½ vs. Appellants,
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward S. Hatch, of counsel for the appellants, and Mr. Assistant Attorney General Lloyd and Mr. Charles E. McNabb, of counsel for the appellee.

135. Joseph N. Carpenter et al., Petitioners, vs. David J. Winn. The argument of this cause was commenced by Mr. John R. Abney, of counsel for the petitioners.

Proclamation being made the court is ad-

Friday, April 21st, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. C. Prentiss, it is ordered that George R. Hill, Esquire, of Globe, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Clark, it is ordered that Park Trammell, Esquire, of Tallahassee State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. W. S. Kenyon, it is ordered that George Frederick Hurd, Esquire, of Cedarhurst, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Davis, it is ordered that Samuel M. Wilson, Esquire, of Lexington, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Otis Bvall Kent, Esquire, of Fort Worth, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Commonwealth of Pennsylvania ex rel. Buell N. Burlingame,		In Error to the Superior Court of the State of Pennsylvania
143.	vs. Plaintiff in Error,	
A. L. Hare, Sheriff, and The State of Illinois		

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print

pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White.

135. Joseph N. Carpenter et al., Petitioners vs. David J. Winn. The argument of this cause was continued by Mr. John R. Abney, of counsel for the petitioners, and concluded by Mr. John W. Boothby, of counsel for the respondent.

136. Montello Salt Co., Plaintiff in Error, vs. The State of Utah. The argument of this cause was commenced by Mr. S. T. Corn, of counsel for the plaintiff in error; continued by Mr. William D. Riter, of counsel for the defendant in error, and concluded by Mr. Jesse R. Barton, of counsel for the plaintiff in error.

139. Mark Jacobs, Appellant, vs. Joseph Beecham. On motion of Mr. George Frederick Hurd, of counsel for the appellant, leave is hereby granted to Mr. C. W. Wickersham to argue this case orally on behalf of the appellant.

Friday, April 21st. 1911, continued.

139. Mark Jacobs, Appellant, vs Joseph Beecham — The argument of this case was commenced by Mr. George Frederick Hurd, of counsel for the appellant.

Proclumation being made, the Court is ad-

Monday, April 24th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar, Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Fred S. Jackson, it is ordered that Lewis W. Keplinger, Esquire, of Kansas City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 614

On motion first made to the Court in this behalf by Mr. H. S. Ridgely, it is ordered that John B. Brooke, Esquire, of Erie, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tracy L. Jeffords, it is ordered that James A. Toomey, Esquire, of the District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that George Lewis Canfield, Esquire, of Detroit, State of Michigan; Daniel P. J. McKenna, Esquire, of Valley Falls, State of Rhode Island, and Joseph P. Cotton, Jr., Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The Sac and Fox Indians of the Mississippi in Iowa, Appellants, vs. The Sac and Fox Indians of the Mississippi in Oklahoma, and the United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby

Mr. Justice McKenna presenting.

Monday, April 24th. 1911.

887. Henry C. Ripley, vs. Appellant. The United States

885. The United States. vs Appellant. Henry C. Ripley

It is ordered by the court that the record in this case be returned to the court of claims, and that said court be instructed to further certify to this court the matters of fact, in addition to the facts found and certified in said record: First, Whether the claimant was laying the slope stones during the months of December, 1903, and February, March and April, 1904, as stated in finding VII, the inspector in charge of the large parts of the work done by the claimant had fully settled and consolidated." Whether in the various refusals to permit the laying of crest blocks stated in finding VII the inspector in charge acted in good faith. Whether at any time the claimant notified the engineer officer in charge or the chief engineer that the inspector in charge wrongfully refused to permit the laying of the crest blocks, when such notice was given, whether it was in writing, when the notice or notices were given, and what action, if any, was taken by the engineer officer. And it is further ordered that said record, with the said additional findings of fact, be returned to this court without unnecessary delay.

Per Mr. Chief Justice

Monday, April 24th, 1911, continued

655 The United States, Plaintiff in Error, vs. Herman F. Parbish. On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 10th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

789 The United States, Plaintiff in Error, vs. Conrad N. Flyler On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 10th next, after the cases heretofore assigned for that day

per Mr. Chief Justice White

819 The United States, Plaintiff in Error, vs John Morgan et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 10th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

821. The United States, Plaintiff in Error, vs. The Baltimore & Ohio Southwestern Railroad Co. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 10th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

970 The Boise Artesian Hot & Cold Water Co., Limited, Petitioner vs. Boise City, Idaho. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

977. Guaranty Trust Co. of New York, Petitioner vs. Chicago Railways Co. et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Julien T. Davies, Joseph S. Auerbach, et al., Petitioners, vs. Chicago Railways Co., et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

978.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Mattie B. Duffer, Petitioner, vs. Herbert G. Seifeld. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

980

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support

by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

995. Ina Law Robertson, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

996. W. T. Day, Petitioner, vs. Atlantic Coast Line Railroad Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

Per Mr. Chief Justice White.

1001. Merritt & Chapman Derrick & Wrecking Co., vs. Cornell Steamboat Co. — Petitioner — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1005. John Stirlen. vs. The United States. — Petitioner. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The Kansas City Southern Railway Co.,
173. vs. Plaintiff in Error,
C. H. Albers Commission Co.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White

W. G. Samuels,
926 vs. Appellant,
Charles A. Read, as Trustee, etc.

On consideration of the motion to vacate the decree docketing and dismissing this appeal and for leave to file the transcript of record and docket the cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, upon the payment of costs, and that the mandate heretofore issued in this cause be, and the same is hereby, recalled.

Per Mr. Chief Justice White

The People of the State of New York,
5, Original vs. Complainants,
The State of New Jersey and Passaic Valley Sewerage Commissioners.

On consideration of the motion of the complainants for the appointment of a commissioner to take testimony in this cause and to

opposition of counsel for the defendants thereto, It is now here ordered by the Court that Wm. James D. Maher, of the District of Columbia, be, and he is hereby, appointed a Commissioner to take and return the testimony in this cause, with the powers of a master in chancery, as provided in the rules of this Court; but said Commissioner shall not make any findings of fact or state any conclusions of law. It is further ordered that the complainants may take testimony at such place as they may indicate, between the first day of June, 1911, and the first day of October, 1911, upon giving ten days' notice of the time and place of taking testimony to the counsel for the defendants. That the defendants may take testimony at such place as they may indicate, between the first day of October, 1911, and the first day of January, 1912, upon giving ten days' notice of the time and place of taking such testimony to the counsel for the complainants herein. That the complainants may take testimony in rebuttal between the first day of January, 1912, and the first day of February, 1912, at such time and place as they may indicate, upon giving ten days' notice to the counsel for the defendants. The defendants shall then conclude the taking of any further testimony on or before March 1, 1912, upon giving ten days' notice of the time and place of taking such testimony to the counsel for the complainants. That the above set

be varied upon consent of counsel for the respective parties which shall have the same effect as an order made by this Court when entered upon the record before the Commissioner; but the time for concluding the testimony shall not be extended without the further order of this Court.

Per Mr. Chief Justice White

Guardian Assurance Co., Ltd., Plaintiff in Error,
vs.
Domingo Quintana.

On consideration of the motion to docket and dismiss this cause, and of the showing in opposition thereto, It is now here ordered by the Court that the said motion be, and the same is hereby, denied without prejudice to a renewal of the same if the cause is not docketed within a reasonable time after the bill of exceptions is settled

Per Mr. Chief Justice White

The Chief Justice announced that the call of the docket will be suspended on Friday, the 28th instant, and that the Court will take a recess on Monday, May 1, until Monday, May 15, and will then take a recess until Monday, May 29, when it will adjourn for the term.

427.	Frank W. Brown, vs. Appellant. C. T. Elliott, United States Marshal, &c., et al.	Mr. Solicitor General Lehmann submitted to the consideration of the Court a motion to advance these cases.
428.	E. C. Moore, vs. Appellant. C. T. Elliott, United States Marshal, &c., et al.	
733, 734.	Mike Beecham, vs. Plaintiff in Error. The United States.	Mr. Solicitor General Lehmann submitted to the consideration of the Court a motion
	to advance these cases.	
860.	Morris Glickstein, vs. The United States.	Mr. Solicitor General Lehmann submitted to the consideration of the Court a motion
	to advance this cause.	
516.	F. S. Bradley, trading as Bradley & Co., vs. Plaintiff in Error. City of Richmond	The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the

record and printed arguments by Mr. A. R. Pollard in support of the same, and Mr. J. Henry Harris in opposition thereto—

152. Ker & Company vs. Albert R. Conden, Plaintiff in Error. On motion of Mr. Evans Browne, leave is hereby granted to withdraw the appearance of Mr. William A. Maury, as counsel for the plaintiff in error.

1007. William V. Snyder et al., vs. American Pneumatic Service Co., et al., Petitioners. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James N. Griffin in support of the same, and Mr. M. B. Philipp in opposition thereto.

1009. Charles West, Attorney General &c et al., vs. The Atchison, Topeka & Santa Fe R'y Co, Petitioners.

1010. Charles West, Attorney General &c et al vs. Gulf, Colorado & Santa Fe Railway Co. Petitioners

1011. Charles West, Attorney General &c et al, vs. The Missouri, Kansas & Texas R'y Co. Petitioners

1012. Charles West, Attorney General, &c., et al. vs. Midland Valley Railroad Co. Petitioners,

1013. Charles West, Attorney General &c et al, vs. Petitioners

The petition for writs of certiorari in these cases was submitted to the consideration of the Court on printed arguments by Mr. F. N. Judson and Mr. Charles West in sup-

1014 Charles West, Attorney General &c. et al., vs. Petitioners, Chicago, Rock Island & Pacific Ry Co.

1015 Charles West, Attorney General &c et al., vs. Petitioners, St. Louis & San Francisco Railroad Co.

same, and Mr. Frank Hagerman in opposition thereto.

1004 Fourteenth Street Savings Bank, vs. Petitioner, Siegmund Dernfeld.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. N. Winship Wheatley in support of the same.

999 William S. Ingraham, doing business as Illinois Fuel Co., vs. Petitioner, Commercial Lead Co. et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. William B. Thompson and Mr. Ford W. Thompson in support of the same.

842 Edmund S. Nash et al., vs. Petitioners, The United States.

Mr. Joseph P. Cotton, Jr., of counsel for the petitioners, submitted to the consideration of the Court a motion to advance this cause

712. The Alabama & Georgia Manufacturing Co., of the State of Alabama, vs. Petitioner. The West Point Manufacturing Co., of the State of Alabama.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John M. Thurston and Mr. C. A. Mountjoy in support of the same, and Mr. Louis D. Brandeis and Mr. William L. Dunbar in opposition thereto.

858. The Texas & Pacific Railway Co., vs. Plaintiff in Error, Mrs. Mary E. Stewart et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. P. Jones in support of the same, and Mr. William L. Hall in opposition thereto.

139. Mark Jacobs, vs Appellant. Joseph Buchum.

The argument of this cause was continued by Mr. George Frederick Hurd, and Mr. C. W. Wickersham, of counsel for the appellant, and Mr. John L. Wilkie, of counsel for the appellee, and concluded by Mr. George Frederick Hurd, of counsel for the appellant.

Ex parte: In the matter of the Metropolitan Water Co. of West Virginia.
19. Original Petitioner.

This cause was argued by Mr. Willard P. Hall, of counsel for the petitioner. Mr. L. W. Keplinger submitted to the consideration of the court a motion for leave to file an answer of Kaw Valley Drainage District of Wyandotte County herein, and leave was granted him to file a brief on behalf of the respondent.

Henry A. Wise,
963. vs. Plaintiff in Error,
Laurence N. Miller et al.
Henry A. Wise, individually, etc.,
964. vs. Appellant.
William Henkel, United States Marshal, etc.

The argument of these cases was commenced by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error and appellant.

Proclamation being made, the court is adjourned until tomorrow at twelve o'clock.

Tuesday, April 25th. 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day — Associate
Horace H. Lurton — Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann it is ordered that Robert Healy, Esquire, of Fort Dodge, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Carter, it is ordered that Martin H. Carmody, Esquire, of Grand Rapids, and George F. Monaghan, Esquire, of Detroit, State of Michigan; Joseph C. Pelletier, Esquire, of Boston, State of Massachusetts; James A.

Joseph C. Pelletier Resigned. See Resignation of Sept 21, 1923 Order of Oct 3, 1923

sylvania; John H. Reddin, Esquire, of Denver, State of Colorado; James Maher, Esquire, of Chicago, State of Illinois; Clarence E. Martin, of Martinsburg, State of West Virginia, and William N. Gulliver, Esquire, of Portland, State of Maine, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Capers, it is ordered that Robert N. Talley, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Bride, it is ordered that Henry Craig Jones, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Davis, it is ordered that Benjamin L. Rosenbloom, Esquire, of Wheeling, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Harry Levor, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

643 Union Pacific Railroad Co., Plaintiff in Error, vs. The Updike Grain Co., et al.

644 Union Pacific Railroad Co., Plaintiff in Error, vs. The Updike Grain Co., et al.

645 Union Pacific Railroad Co., Plaintiff in Error, vs. Updike Grain Co.

646 Union Pacific Railroad Co., Plaintiff in Error, vs. Updike Grain Co.

Mr. Maxwell Evarts of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance these cases.

154 R. M. Mackenzie, Trustee of the estate of John F. Klein, Bankrupt, Plaintiff in Error, vs. Lawrence C. Woods.

In Error to the Supreme Court of the State of Pennsylvania.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the

and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

963. Henry A. Wise, Plaintiff in Error, vs. Laurence N. Mills et al. } The argument of these cases was continued by Mr. A. Leo Everett, of counsel for the defendants in error and appellees, and concluded by Mr. Solicitor General Lehmann, of counsel for the plaintiff in

964. Henry A. Wise, individually, etc., Appellant, vs. William Henkel, United States Marshal, etc.

error and appellant.

141. Arthur Briscoe, Appellant, vs. Luno N. Rudolph, et al., Commissioners, &c. et al. This cause was argued by Mr. Samuel Maddox, of counsel for the appellant, and Mr. Edward N. Thomas, of counsel for the appellees.

142. David W. Lewis, Plaintiff in Error, vs. L. Fleet Luckett et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John C. Gittings and Mr. J. M. Chamberlin, of counsel for the plaintiff in error, and Mr. Lorenzo A. Bailey and

in error.

1147. Henry Melville Walker, Appellant. vs. Mary W. Harriman, Executrix, etc. This cause was argued by Mr. B. C. Chelwood, of counsel for the appellant, and Mr. Maxwell Evarts of counsel for the appellee.

1148. Acme Harvester Co., Plaintiff in Error, vs. Beckman Lumber Co. This cause was argued by Mr. Hannis Taylor, of counsel for the defendant in error, and submitted on a printed argument by Mr. Alexander New and Mr. E. A. Krauthoff, of counsel for the plaintiff in error.

1149. Sargent & Lahr et al., Plaintiffs in Error, vs. Herrick & Stevens et al. This cause was argued by Mr. Robert Healy, of counsel for the plaintiffs in error. No briefs were filed for the defendants in error.

150. Wesley C. Richardson et al., Appellants, vs. Judson Harmon, Receiver, &c. The argument of this cause was commenced by Mr. F. S. Maslin, of counsel for the appellants

Proclamation being made, the

Wednesday, April 26th, 1911.

Pursuant to adjournment, the Court met today at the Capitol

Present.

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. E. Humphrey, it is ordered that Harry C. Sheridan and Martin A. Morrison, Esquires, of Frankfort, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. G. Hamilton, it is ordered that Oscar J. Seiler, Esquire, of Jamestown, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was

On motion first made to the Court in this behalf by Mr. Harvey D. Goulder, it is ordered that Leonidas E. Spear, Esquire, of Dayton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. O. Cottle, it is ordered that Edmund P. Cottle, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William G. Johnson, it is ordered that L. J. Fegan, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elihu Root, it is ordered that Clark A. Hammond, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Oscar

be admitted to practice as an attorney and counsellor of this Court, and he was sworn according ly.

161. Jennie M. Tuttle. vs. Iowa State Traveling Men's Association — Plaintiff in Error. — It is ordered by the Court that this cause be, and the same is hereby, passed temporarily.

163. Mason Williams, Trustee, etc., vs. The National Bank of Commerce of St. Louis, Missouri — Appellant. — Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

Wednesday, April 26th, 1911, continued.

Wesley C. Richardson et al.,
150 vs. Appellants. The argument of this cause was continued by Mr. F. S. Masten, of counsel for the
Judson Harmon, Receiver &c. appellants, and Mr. George L. Canfield, of counsel for the appellee, and concluded by Mr. Harvey D. Goulder, of counsel for the appellants.

The Provident Institution for Savings in the town of Boston,
151. vs. Plaintiff in Error, This cause was argued by Mr. John C. Gray, of counsel for the plaintiff in error, and
Dana Malone, Attorney General &c. Mr. Dana Malone, of counsel for the defendant in error.

Ker & Company,
152. vs. Plaintiff in Error, It is ordered by the court that this cause be, and the same is hereby,
Albert R. Couden

passed temporarily.

The New York Central & Hudson River Railroad Co.,
153. vs. Plaintiff in Error. This cause was argued by Mr. George Vivian Smith, of counsel for the defendant in error, and sub-
William Schradin, Administrator, etc.

mitted on printed arguments by Mr. Charles F.

Emery, of counsel for the plaintiff in error.

158. The United States. vs. Daniel J. Rimmer et al. Petitioner, This cause was argued by Mr. Solicitor General Lehmann, of counsel for the petitioner. No counsel appeared for the respondents.

159. Fifth Avenue Coach Co., vs. The City of New York. Plaintiff in Error, It is ordered by the Court that this cause be, and the same is hereby, passed temporarily.

160 The Mercantile Trust Co. et al., vs. The Texas & Pacific Railway Co., et al. Appellants, It is ordered by the Court that this cause be, and the same is hereby, continued to the next term per stipulation of counsel.

162. Charles E. Appleby, Surviving Trustee, etc., vs. City of Buffalo. Plaintiff in Error, The argument of this cause was commenced by Mr. O. O. Cottle, of counsel for the plaintiff in error, and continued by Mr. Edmund P. Cottle, of counsel for the plaintiff in error.

Thursday, April 27th. 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices.
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Marlin E. Olmsted, it is ordered that Charles Forsyth Patterson, Esquire, of Pittsburg, and John Lewis Evans, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James R. Mann, it is ordered that Harry Rubens, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was

On motion first made to the Court in this behalf by Mr. Edmund P. Lottle, it is ordered that Marion Weston Lottle, of New York City be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

161. Jennie M. Tuttle. vs. Iowa State Traveling Men's Association — Plaintiff in Error. — In Error to the Supreme Court of the State of Iowa.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

164. Joseph R. Moore et al. vs. The State of New Jersey. — Plaintiffs in Error, — It is ordered by the Court that this cause be, and the same is hereby, continued to the next term, per stipulation of counsel.

166. James W. Finley, Plaintiff in Error, vs. The People of the State of California. — It is ordered by the Court that this cause be, and the same is hereby continued to the next term

167. Cudahy Packing Co., Plaintiff in Error, vs. C. E. Denton, Secretary of State of the State of Kansas. — It is ordered by the Court that this cause be, and the same is hereby continued to the next term.

171. Charles Mauk, Plaintiff in Error, vs. Chicago, Burlington & Quincy Railway Co. — In Error to the Circuit Court of the United States for the Southern District of Iowa.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

162. Charles E. Appleby, surviving Trustee, etc., vs. The City of Buffalo. Plaintiff in Error. The argument of this cause was continued by Mr. Edmund P. Colle, of counsel for the plaintiff in error, and Mr. Clark H. Hammond, of counsel for the defendant in error, and concluded by Mr. Edmund P. Colle, of counsel for the plaintiff in error.

152. Ker & Company, vs. Albert R. Louden. Plaintiff in Error. This cause was argued by Mr. Oscar Sutro, of counsel for the plaintiff in error, and Mr. Solicitor General Lehmann, of counsel for the defendant in error, and leave was granted counsel for the plaintiff in error to file an additional brief herein on or before May 2 next.

159. Fifth Avenue Coach Co., vs. The City of New York. Plaintiff in Error. The argument of this cause was commenced by Mr. William N. Page, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Friday, April 28th, 1911.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar, Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Archibald King, it is ordered that William Hall Butt, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abram J. Elkus, it is ordered that Louis J. Vorhaus, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip P. Campbell, it is ordered that Cyrus Crane, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Moon, it is ordered that Harry Crosby Camp, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

111. Arthur Briscoe, Appellant, vs. Cuno H. Rudolph et al., Commissioners, etc., et al. On motion of Mr. Samuel Maddox, of counsel for the appellant, leave is hereby granted him to file a supplemental brief herein.

170. Clarence D. Robinson, Plaintiff in Error, vs. The Baltimore & Ohio Railroad Co. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles N. Lurds, of counsel for the plaintiff in error, and Mr. Hugh L. Bond, Jr., and Mr. W. Irving Cross, of counsel for the defendant in error, and leave was granted coun-

Friday, April 28th, 1911, continued

within ten days.

174 Isobel N. Lenman, vs. Thomas K. Jones. Appellant. It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation of counsel.

177 Julian Munsuri, vs. J. N. Fricker, Trustee. Plaintiff in Error.

179 Jeff. Weller & Co., et al., vs. Julian Munsuri. Appellants, } It is ordered by the Court that these cases be, and the same are hereby, continued to the next term per stipulation of counsel.

181 Kalem Company, vs. Harper Brothers et al. Appellant. It is ordered by the Court that this cause be, and the same is hereby, continued to the next term per stipulation of counsel.

159 Fifth Avenue Coach Co. vs. The City of New York. Plaintiff in Error. The argument of this cause was continued by Mr. William N. Page, of counsel for the plaintiff in error, and Mr. Terence Farley, of counsel for the defendant in error, and concluded by Mr. William N. Page, of counsel for the plaintiff in error.

165. In the matter of George Harris, Bankrupt. This cause was argued by Mr. Louis J. Vorhaus, of counsel for Harris, and Mr. Abram I. Elkus, of counsel, for the receiver in bankruptcy.

Proclamation being made the Court adjourned

Monday, May 1st. 1911.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar. Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles J. Kappler, it is ordered that Roy L. Shaw, Esquire, of Blackwell, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Singleton, it is ordered that George Patterson, Esquire, of Uniontown, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. William R. Harr, it is ordered that Fred McKee, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. William A. Henderson, it is ordered that Paul F. Faison, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

241.	The United States, vs. Pierre Grimaud and J. P. Carajouse	Plaintiff in Error,
242.	The United States, vs. Antonio Inda.	Plaintiff in Error,

It is ordered by the court that the judgments heretofore entered in these cases on March 14, 1910, be, and the same are hereby, vacated and set aside.

per Mr. Justice Lamar.

241.	The United States. vs. Pierre Grimaud and J. P. Carajouse	Plaintiff in Error.

In Error to the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript

United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to overrule the demurrer and for further proceedings in conformity to law.

Per Mr. Justice Lamar.

242. The United States, Plaintiff in Error, vs. Antonio Inda. In Error to the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to overrule the demurrer and for further proceedings in conformity to law.

Per Mr. Justice Lamar.

360 Fred Light. vs. The United States. Appellant. Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Lamar.

73 Mariano F. Jena. vs. American Turquoise Co. Plaintiff in Error. In Error to the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

128 The Sperry & Hutchinson Co., vs. Aida T. Rhodes. Plaintiff in Error. In Error to the Supreme Court of the State of New York.

of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

427. Frank W. Brown, vs. Appellant, C. J. Elliott, U. S. Marshal, etc., et al.

428. E. C. Moore, vs. Appellant, C. J. Elliott, U. S. Marshal, etc., et al.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cases assigned for argument on Tuesday, October 10th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

733 Mike Beckham, vs. Plaintiff in Error, The United States

734. Mike Beckham, vs. Plaintiff in Error, The United States

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument

heretofore assigned for that day.
Per Mr. Chief Justice White.

560. Moorie Glickstein. vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 10th next, after the cause heretofore assigned for that day.
Per Mr. Chief Justice White.

643 Union Pacific Railroad Co. vs. The Updike Grain Co. et al. Plaintiff in Error.
644 Union Pacific Railroad Co. vs. The Updike Grain Co., et al. Plaintiff in Error.
645 Union Pacific Railroad Co. vs. The Updike Grain Co. Plaintiff in Error.
646. Union Pacific Railroad Co. vs. The Updike Grain Co. Plaintiff in Error.

On consideration of the motion to advance these cases, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cases assigned for argument with cases Nos 554, 555 and 556 as one case, on Tuesday, October 10th next.
Per Mr. Chief Justice White.

812. Edmund S. Nachtal et al., Petitioners. vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

712. The Alabama & Georgia Manufacturing Co. of the State of Alabama, Petitioner. vs. The West Point Manufacturing Co. of the State of Alabama. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1007. William V. Snyder, Jr., and Watson B. Snyder, surviving partners of the firm of W. V. Snyder & Co., vs. Petitioners. American Pneumatic Service Co., et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

Per Mr. Chief Justice White

1009 Charles West, Attorney General of the State of Oklahoma et al., vs. Petitioners. The Atchison, Topeka & Santa Fe Railway Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit and of the argument of counsel thereupon had, as well in support of as against the

that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1010 Charles West, Attorney General of the State of Oklahoma, et al., Petitioners. vs. Chicago, Colorado & Santa Fe Railway Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1011 Charles West, Attorney General of the State of Oklahoma, et al., Petitioners. vs. The Missouri, Kansas & Texas Railway Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit,

had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1012. Charles West, Attorney General of the State of Oklahoma, et al., Petitioners, vs. Midland Valley Railroad Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1013. Charles West, Attorney General of the State of Oklahoma, et al., Petitioners, vs. Kansas City Southern Railway Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1014. Charles West, Attorney General of the State of Oklahoma, et al., Petitioners, vs. The Chicago, Rock Island & Pacific Railway Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1015 Charles West, Attorney General of the State of Oklahoma, et al., Petitioners, vs. St. Louis & San Francisco Railroad Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ

Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Chief Justice White.

William S. Ingraham, doing business under the name, firm and style of The Illinois Fuel Co., Petitioner,
999 vs.
Commercial Lead Co. et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit; and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Mary Virginia Miller, Petitioner,
1003 vs.
West Virginia Pulp & Paper Co., and West Virginia Spruce Lumber Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1004. Fourteenth Street Savings Bank, vs. Petitioner. Sigmund Dernfeld.

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as will in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice White

516. T. S. Bradley, trading as Bradley & Co. vs. Plaintiff in Error. The City of Richmond.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

558. The Texas & Pacific Railway Co. vs. Plaintiff in Error, Mrs Mary E. Stewart et al — On consideration of the motion to dismiss or affirm this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

670. The United States. vs. Plaintiff in Error, The Baltimore & Ohio Railroad Co. — Mr. Solicitor General Lehmann submitted to the consideration of the court a motion to advance this cause.

794. The United States. vs. Plaintiff in Error, George F. Clever et al. — Mr. Solicitor General Lehmann submitted to the consideration of the court a motion to advance this cause.

715. Chin Yuig Don and Jem Yuen. vs. Appellants, George B. Billings, United States Commissioner of Immigration at the Port of Boston. — Appeal from the District Court of the United States for the District of Massachusetts.

of the Court by Mr. Solicitor General
of counsel for the appellee, and he, t
behalf of counsel for the appellants
the Court to dismiss this appeal, T
pursuance of said motion, it is now
adjudged and decreed by this Cou
this appeal be, and the same is here
with costs.

Per Mr. Chief Justi

no. 715
See p. 670.

Jessie B. Thomas,
Plaintiff in Error,
vs.
John R. Thomas.

The motio
mise or q
this cause
mitted to
eration of the Court on the record and
arguments by Mr. William J. Hughes
Speed, Mr. W. T. Hutchings and Mr.
West in support of the same, and Mr.
Dale and Mr. A. G. C. Bierer in opposi

712

Justo Amsterdam, et al.,
Appellants,
vs.
Felix Puente et al.

707

The mot
mise or
this cau
submitte
consideration of the Court on the reco
printed arguments by Mr. Frederic
Mr. John Spalding Flannery and M
Cohen in support of the same, and M
Pettingill, Mr. N. P. Leake and Mr. W
in opposition thereto, and leave was g
counsel for the appellants to file

brief herein.

Charles S. Lester.
958. vs. Petitioner,
Edward G. Benedict.
Trustee, etc.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Harold Remington in support of the same, and Mr. Daniel P. Hays in opposition thereto

The American Bank
Protection Co.,
899. vs. Petitioner.
Electric Protection Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Arthur P. Greeley and Mr. N. C. Paul in support of the same, and Mr. John E. Stryker in opposition thereto.

United Railways Co. of
St. Louis et al.,
807. vs. Appellants,
The City of St. Louis

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Lambert E. Walther in support of the same, and Mr. N. S. Priest in opposition thereto

Bradford Kennedy Co., et al.,
vs. Plaintiffs in Error,
921. Arthur Co. Morbeck et al.

In Error t
Supreme C
of the Sta
Idaho.

It appearing to the court that a stipul
of counsel for the respective parties to dism
the writ of error in this cause has been
Therefore, in pursuance of said stipulation
now here ordered and adjudged by this
that the writ of error in this cause be, and
same is hereby, dismissed, clerk's costs to
paid by the plaintiffs in error.

Per Mr. Chief Justice W

Chin Ying Don et al.,
vs. Appellants,
*915 George B. Billings
U. S. Commissioner, etc.

On motion
Solicitor Gen
Lehmann, le
hereby gran
the Clerk to

the mandate in this cause.

Proclamation being made, the Court is ad

May 5

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar. Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Harry H. McElroy, Esquire, of Tucumcari, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Charles H. Sloan, Esquire, of Geneva, State of Nebraska, and John Rustgard, Esquire, of Juneau, Territory of Alaska, be admitted to practice as attorneys and counsellors of this

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that Harold T. Clark, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that John J. Stamler, Esquire, of Elizabeth, George Frankenstein, Esquire, of Weehawken, and James C. Agnew, Esquire, of town of Union, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that William P. Golden, Esquire, of San Francisco, State of California, and Edward A. Douthitt, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter C. Clephane, it is ordered that Edwin Alexton Hill and Walter C. English, Esquires, of Washington, District of Columbia, and Clayton J. Hermance, Esquire, of New

nd counsellors of this Court, and they were sworn ccordingly.

On motion first made to the Court in this behalf y Mr. A. A. Jones, it is ordered that John Y. ewett, Esquire, of White Oaks, Territory of New Mexico, be admitted to practice as an attorney nd counsellor of this Court, and he was sworn ccordingly.

On motion first made to the Court in this behalf y Mr. N. P. Bryan, it is ordered that W. B. rawford, Esquire, of Kissimee, State of Florida, e admitted to practice as an attorney and ounsellor of this Court, and he was sworn ac- ordingly.

On motion first made to the Court in this be- alf by Mr. L. C. Dyer, it is ordered that ohn A. Hope, Esquire, of St. Louis, State of Mis- ouri, be admitted to practice as an attorney nd counsellor of this Court, and he was worn accordingly.

On motion first made to the Court in this alf by Mr. Robert M. La Follette, it is order- d that John J. Cook, Esquire, of Milwaukee, tate of Wisconsin, be admitted to practice as attorney and counsellor of this Court, and e was sworn accordingly.

Monday, May 15th, 1911, continued.

On motion first made to the Court in this behalf by Mr. Robert B. Brown, it is ordered that Harry Eugene Kelly, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert C. Wells, it is ordered that Roger Sherman Gates Boutell, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Hastings, it is ordered that J. N. Langley, Esquire, of Pryor, State of Oklahoma, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Frederick J. Stone, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 372.

On motion first made to the Court in this behalf by Mr. N. N. Low, it is ordered that

State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. P. Borland, it is ordered that Frederick E. Stivers, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin P. Grosvenor, it is ordered that Henry M. Johnson, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Samuel Gompers, John Mitchell and Frank Morrison. Petitioners, vs. The Buck's Stove & Range Co

On writ of certiorari to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals

reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with direction to reverse the judgment of the Supreme Court of the District of Columbia and to remand the cause to that Court with direction that the contempt proceedings instituted by The Buck's Stove & Range Company be dismissed, but without prejudice to the power and right of that Court to punish by a proper proceeding, contempt, if any, committed against it.

Per Mr. Justice Lamar.

Texas & New Orleans Railroad Co. and Louisiana Western Railroad Co., et al., Plaintiffs in Error, vs. Fannie Miller, G. W. Miller, William D. Miller et al. In Error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas.

831.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, affirmed with costs,

Texas & New Orleans Railroad Co. and Louisiana Western Railroad Co. et al.,
vs. Plaintiffs in Error,
Felix Grosse and Theresa Grosse.

In Error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas.

132

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter

The Grand Trunk Western Railway Co.,
vs. Plaintiff in Error.
The Railroad Commission of Indiana et al.

In Error to the Appellate Court of the State of Indiana

138

This cause came on to be heard on the transcript of the record from the Appellate Court of the State of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

late Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter

1119 Sargent & Lahr et al., vs. Herrick & Stevens et al. Plaintiffs in Error, In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Van Devanter.

759 Christopher C. Wilson. vs. The United States. Plaintiff in Error, In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On

and adjudged by this Court that the judg
ment of the said Circuit Court in this cause
be, and the same is hereby, affirmed.

Per Mr. Justice Hughes

Dissenting:
Mr. Justice McKenna.

760. Christopher C. Wilson, Appellant, vs. The United States. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the tran-
script of the record from the Circuit Court of
the United States for the Southern District of
New York, and was argued by counsel. On
consideration whereof, It is now here ordered,
adjudged and decreed by this Court that the
final order of the said Circuit Court in this
cause be, and the same is hereby, affirmed.

Per Mr. Justice Hughes.

Dissenting:
Mr. Justice McKenna.

788 Christopher C. Wilson, Appellant, vs. The United States. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the tran
script of the record from the Circuit Court of
the United States for the Southern District of

consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Hughes

Dissenting:
Mr Justice McKenna.

358. William Dreier, vs. The United States. Plaintiff in Error. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Hughes.

[Mr. Justice McKenna concurs in the result upon the ground of waiver.)

359 William Dreier, vs. William Henkel, U.S. Marshal for the Southern District of New York. Appellant. Appeal from the Circuit Court of the United States for the Southern District of New York.

script of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Hughes.

(Mr. Justice McKenna concurs in the result upon the ground of waiver.)

Liverpool & London & Globe Insurance Co., of New York,
vs. Plaintiff in Error,
The Board of Assessors for the Parish of Orleans, The City of New Orleans et al

In Error to the Supreme Court of the State of Louisiana

No. 92.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Hughes.

397. Orient Insurance Co., et al., vs. The Board of Assessors for the Parish of Orleans, The City of New Orleans et al. Plaintiffs in Error. In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes.

107. Charles N. Merillat and Mason N. Richardson, Trustees. vs. Melville D. Hensey, Mercantile Trust Co., Frederick A. Mertens and Park Agnew. Appellants, Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes.

60.

89.

in this cause be, and the same is hereby, af
firmed with costs.

Per Mr. Justice Lurton.

Marchie Tiger,
vs. Plaintiff in Error,
The Western Investment
Co. et al.

In Error to the
Supreme Court of
the State of Okla
homa.

This cause came on to be heard on the tran-
script of the record from the Supreme Court of
the State of Oklahoma and was argued by
counsel. On consideration whereof, It is now
here ordered and adjudged by this Court that
the judgment of the said Supreme Court in
this cause be, and the same is hereby, reversed
with costs; and that this cause be, and the
same is hereby, remanded to the said Supreme
Court for further proceedings not inconsistent
with the opinion of this Court.

Per Mr. Justice Day.

Simeon Hallowell,
vs.
The United States.

On a certificate from the
United States Circuit Court
of Appeals for the Eighth
Circuit.

This cause came on to be heard on a certificate
from the United States Circuit Court of Appeals
for the Eighth Circuit, and was argued by
counsel. On consideration whereof, It is there

tified must be answered in the affirm
Whereupon, It is now here ordered by
Court that it be so certified to the sai
United States Circuit Court of Appeal

Per Mr. Justice Da

Catherine Schlemmer,
now Catherine Craig,
vs. Plaintiff in Error.
The Buffalo, Rochester &
Pittsburgh Railway Co.

In Error to t
Supreme Co
the State of
sylvania.

374

This cause came on to be heard on the tr
script of the record from the Supreme Cou
the State of Pennsylvania and was ar
by counsel. On consideration whereof, I
now here ordered and adjudged by this
that the judgment of the said Supreme C
in this cause be, and the same is hereb
firmed with costs

Per Mr. Justice Da

Louis A. Dowdell, Jr.,
and Wilson W. Harn,
vs. Plaintiffs in Error.
The United States.

In Error t
Supreme C
of the Phil
Islands

131.

This cause came on to be heard on the t
script of the record from the Supreme Co
of the Philippine Islands, and was arg
by counsel. On consideration whereof, it

now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Day.

Dissenting:
Mr. Justice Harlan.

134. Mark Jacobs, Appellant. vs. Joseph Beckham. Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of New York.

Per Mr. Justice Holmes.

165. In the matter of George Harris, Bankrupt. On a certificat the United St Circuit Court o

peals for the Second Circuit.

This cause came on to be heard on a ce cate from the United States Circuit Court Appeals for the Second Circuit, and was gued by counsel. On consideration whe It is the opinion of this Court that the qu certified must be answered in the affirma Whereupon, It is now here ordered by th Court that it be so certified to the said Un States Circuit Court of Appeals.

Per Mr. Justice Hol

638 Christopher Strassheim, Sheriff of Cook County, Illinois, vs. Appellant, Million Daily. Appeal from t District Court the United St for the Norther District of Illi

This cause came on to be heard on the t script of the record from the District Cou of the United States for the Northern Distri of Illinois, and was argued by counsel. O consideration whereof, It is now here or adjudged and decreed by this Court th the final order of the said District Court i this cause be, and the same is hereby, re with costs; and that this cause be, and

District Court with directions to remand the petitioner to the custody of the respondent.

Per Mr. Justice Holmes.

916. Charles West, Attorney General of the State of Oklahoma, Appellant. vs. The Kansas Natural Gas Co., The Marnet Mining Co., and A. W. Lewis.

Appeal from the Circuit Court of the United States for the Eastern District of Oklahoma.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Holmes
Mr. Justice Lurton
Mr. Justice Hughes.

Monday, May 15th, 1911, continue

314. The United States, Plaintiff in Error, vs. William B. Hammers — In Error to the ... court of ... United States ... Southern Dist...

California.

This cause came on to be heard on the ... script of the record from the District Court ... the United States for the Southern District ... California, and was argued by counsel. ... consideration whereof. It is now here ordered ... and adjudged by this Court that the judg... ment of the said District Court in this ca... be, and the same is hereby, reversed; and ... that this cause be, and the same is hereby ... remanded to the said District Court for ... ther proceedings.

Per Mr. Justice McKen...

100. The Hannibal Bridge Co. and The Wabash Railroad Co., Plaintiffs in Error, vs. The United States. — In Error to ... District Court ... the United S... for the Easte... District of M...

This cause came on to be heard on the tra... script of the record from the District Court ... the United States for the Eastern District ... Missouri, and was argued by counsel. On ... sideration whereof. It is now here ordered a... adjudged by this Court that the judgment ... the said District Court in this cause be, and t...

117 The Northern Pacific Railway Co., et al., Appellants vs. John Trodick. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Montana.

Per Mr. Justice Harlan.

329 Chicago, Quincy & Burlington Railway Co. Petitioner vs. The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in

firmed; and that this cause be,
is hereby remanded to the Distr
the United States for the District

Per Mr. Justice

88 E. M. Dick, Petitioner, vs. St. Louis & San Francisco Railroad Co. On writ o
the United
cuit Court
for the Sixt

This cause came on to be heard o
script of the record from the United
cuit Court of Appeals for the Sixth
and was argued by counsel. On
whereof, It is now here ordered a
by this Court that the judgment o
United States Circuit Court of Appe
cause be, and the same is hereby,
with costs, and that the judgmen
cuit Court of the United States for th
District of Tennessee be, and the s
by affirmed with costs; and that
be; and the same is hereby remand
said Circuit Court.

Per Mr. Justice

(Mr. Justice Lurton did not partici
decision by this Court in this case.

158. The United States. Petitioner. vs. Daniel J. Riner, William D. Barrier, and Lawson C. Ritchie

On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of certiorari in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice White

963. Henry A. Wise vs. Lawrence N. Miller, Charles G. Mourraille, and Emil S. Duflot.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction

Per Mr. Chief Justice White

Henry A. Wise, Individually and as United States Attorney for the Southern District of New York,

964 vs. Appellant,

William Henkel, United States Marshal in and for the Southern District of New York.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

Ex parte: In the matter of The Metropolitan Water Co. of West Virginia,

19, Original Petitioner.

On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that said rule to show cause be made absolute, and that a

rable Smith McPherson, as Acting Circuit Judge of the United States for the District of Kansas, and the Circuit Court of the United States for the District of Kansas, to annul and set aside the order of March 6th. 1911, vacating the restraining order theretofore issued on February 8, 1911, and denying the application for injunction in the case of Metropolitan Water Company, complainant, v. Kaw Valley Drainage District of Wyandotte County, Kansas, et al., and that said judge or such other judge of the said Circuit Court as may hear and determine the application for an interlocutory injunction call to his assistance two other Judges, as provided by Section 17 of Chapter 309 of the Act of Congress approved June 18, 1910.

Per Mr. Chief Justice White

398

Standard Oil Co., of New Jersey et al., vs. The United States — Appellants, — Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that

cause be modified as indicated in the
ion of this Court, and, as so modified, t
the same is hereby, affirmed, the said
Court to retain jurisdiction to the extent
sary to compel compliance in every resp
with its decree.

Per Mr. Chief Justice

Dissenting:
Mr. Justice Harlan

155. The New York Central & Hudson River Railroad Co., Plaintiff in Error, vs. William Schradin, as Administrator of the Goods, Chattels and Credits of Hermann Schradin, deceased. In Error to Supreme Court of the State of New York

This cause came on to be heard on the t
script of the record from the Supreme Co
of the State of New York, and was argue
counsel. On consideration whereof, It is
here ordered and adjudged by this Cou
that the judgment of the said Supreme
in this cause be, and the same is hereb
affirmed with costs.

Per Mr. Chief Justice Wh

147. Henry Melville Walker, Appellant, vs. Mary W. Harriman, Executrix of Edward H. Harriman, deceased — Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

942. Jessie B. Thomas, Plaintiff in Error, vs. John R. Thomas — In Error to the Supreme Court of the State of Oklahoma

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

853. Erie Railroad Co., vs Plaintiff in Error, Blanche Russell, Administratrix of Harry C. Russell, deceased. Cir... of the ... a wr... herein ... States ... of App...

Second Circuit, and of the argume... thereupon had, as well in suppor... the same, It is now here ordered ... that the said petition be, and the ... hereby, denied

Per Mr. Chief ...

853. Erie Railroad Co., vs. Plaintiff in Error, Blanche Russell, Administratrix of Harry C. Russell, deceased. In Er... United ... cuit C... peals ... Circuit ...

This cause came on to be heard on ... of the record from the United State... Court of Appeals for the Second Cir... on motion to dismiss or affirm, arg... gued by counsel. On consideration ... It is now here ordered and adjud... this Court that the writ of error in ... be, and the same is hereby, dismi... want of jurisdiction.

Per Mr. Chief Justi...

United Railways Co., of St. Louis and St. Louis Transit Co., vs. The City of St. Louis. 807. Appellants. Appeal from the Circuit Court of the United States for the Eastern District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

The American Bank Protection Co. vs. Electric Protection Co. 899. Petitioner, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

938 Charles S. Lester, Petitioner, vs. Edward A. Benedict, as Trustee in Bankruptcy of Tracy & Co., etc. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

Per Mr. Chief Justice White

670 The United States, Plaintiff in Error, vs. The Baltimore & Ohio Railroad Co. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 10th next, after the cases heretofore assigned for that day

Per Mr. Chief Justice White

799 The United States, Plaintiff in Error, vs. George F. Stever et al. On consideration of the motion to advance this cause, It is now

be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 10th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

707. Justo Armotordam et al., Appellants, vs. Felix Puente et al. It is ordered by the court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White

Order

It is now here ordered by the court that the following table of fees to be charged in the United States Commerce Court be, and the same is hereby adopted and approved, viz:

Clerk.

For docketing a case,	$5.00
For entering any final decree or order or judgment,	1.00
For a certified copy of any entry, record or paper on file, for each folio of 100 words (No such fee, however to be less than fifty cents.)	10

certificate under seal $1.00

For a copy of any opinion of the court or judge, certified under seal, 2.00

Marshal.

For service of any writ, subpoena, or order, for each party upon whom service is made, 2.00

In case of the service of process by the marshal of a district outside of the city of Washington, in addition to the fees just prescribed the marshal shall receive the same mileage as is by law allowed to marshals for serving process issued by the District Court of the United States in the district where such service is performed.

It is further ordered that no fee shall be taxed against the United States or the Interstate Commerce Commission.

Per Mr. Chief Justice White

686. The United States of America, Appellant, vs. The Terminal Railroad Association of St. Louis et al. Mr. Attorney General Wickersham submitted to the consideration of the Court a motion to advance this cause.

	The United States of America,	Mr. Solicitor General Lehmann submitted to the Court motions to advance these cases.
615	vs. Plaintiff in Error,	
	St. Louis National Stock Yards.	
	The United States.	
990	vs. Plaintiff in Error,	
	P. N. Barnes et al.	
	The United States,	
1033	vs. Plaintiff in Error.	
	James A. Patten et al.	
	The United States.	
1043	vs. Plaintiff in Error,	
	Charles F. Munday et al.	
	Gabriel Diaz,	
684.	vs Plaintiff in Error,	
	The United States.	
	Frederick A. Hyde et al.,	
798.	vs Petitioners	
	The United States	
	Thomas A. Fields.	
822.	vs. Appellant,	
	George F. White U.S. Marshal &c	
	C. A. Tiller,	
927.	vs. Appellant,	
	E. F. Reinhardt, U. S. Marshal	
	etc, et al	
	S. D. Harper	
	vs. Plaintiff in Error,	
	Grant Victor, United States Marshal, etc.	

1051. The United States. Petitioner. vs. Wong You et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Solicitor General Lehmann and Mr. Assistant Attorney General Harr in support of the same.

1048. Marx & Rawolle, Petitioners, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Benjamin A. Levett in support of the same, and Mr. Solicitor General Lehmann and Mr. Assistant Attorney General Lloyd in opposition thereto.

953. William Jenkins et al., Petitioners vs. Charles Dillingham, Receiver, etc. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. W. D. Gordon and Mr. John L. Little in support of the same.

1029. J. W. Baley, United States Marshal, &c., Petitioner vs. Richard J. Woolley et al. The petition for a writ of certiorari herein was submitted to the consid-

by Mr. Theodore F. Davidson and Mr. Louis M. Bourne in support of the same

1045. Edward A. Kuechmsted. vs. Petitioner, Farbenfabriken of Elberfeld Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John G. Elliott in support of the same, and Mr. Livingston Gifford and Mr Anthony Griffin opposition thereto.

1054 George T. Simpson et al. vs. Appellants, David C. Shepard
1055 George T. Simpson et al., vs. Appellants, Emma B. Kennedy et al., Executors, etc., et al
1056. George T. Simpson et al., vs. Appellants, William Shillaber. — Mr Edward T. Young, of counsel for the appellants submitted to the consideration of the Court a motion to advance these cases.

1020 Title Guaranty & Trust Co., et al., vs Petitioners John G. Ward, United States Collector, &c. — The petition for a writ of certiorari herein was submitted to the consideration of the

J. Newcomb in support of the same, and leave was granted counsel for the respondent to file a brief in opposition on or before Friday next

1042. The British & Foreign Marine Insurance Co., Limited, vs. Petitioners. Muldonado & Co., Incorporated

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Archibald G. Thacher in support of the same

1053. Colwell Lead Co., vs. Petitioner. Francis J. Torrance et al

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. A. Parker Smith in support of the same.

1049. Matthias Radin et al., vs. Petitioners, The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Harry Levor in support of the same, and Mr. Solicitor General Lehmann in opposition thereto.

1032. Stanley Francis, Petitioner, vs. J. Hector McNeal, Trustee, etc. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles L. Frailey in support of the same.

Ex parte: In the matter of the Merchants Stock & Grain Co., et al., Original Petitioners. Mr. Charles L Frailey, in behalf of counsel for the Petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

1025. Francee E. Waterman, wife of Charles A. Crane, Petitioner, vs. Canal Louisiana Bank & Trust Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. E. Howard McCaleb in support of the same.

1022 Fred G. Austin, Trustee, &c., Petitioner vs. The New York Stock Exchange et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argument by

Miller and Mr. Henry Ledyard in suppo
of the same, and Mr. Walter F. Taylor an
Mr. K. R. Babbitt in opposition thereto.

1039 The American Disappearing Bed Co., Petitioner, vs. Edward Arnold et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Cour

by Mr. Melville Church in support of the

193 Hannah S. Crane et al., Appellants, vs. The United States.

Mr. Archibald King, in behal of counsel for t appellants, sug

gested the deaths of Hannah S. Crane an James T. Boyd, two of the appellants in th cause, and moved the court to make Mary N. Hussey, Administratrix of the said Han S. Crane, and Richard N. Glassford, Exec of the said James T. Boyd, parties appella herein. Whereupon, It is now here ordered by the court that the said Mary N. Hus as Administratrix of Hannah S. Crane, de ceased, and Richard N. Glassford, as Exe tor of James T. Boyd, deceased, be and the are hereby, made parties appellants in thi cause

Samuel R. Colhoun, Appellant,
350 vs. Appeal from the Court of Claims
The United States

This cause having been called to the attention of the Court by Mr Archibald King, in behalf of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice White

Laurence G. Boggs, Appellant,
268. vs. Appeal from the Court of Claims
The United States.

This cause having been called to the attention of the Court by Mr Archibald King, in behalf of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion it is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed

Per Mr. Chief Justice White

1040 Norman Marshall, Petitioner vs. The Bryant Electric Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William R. Sears in support of the same, and Mr. Charles Howson and Mr. Hubert Howson in opposition thereto.

907. The Pullman Co., Plaintiff in Error, vs. Ellsworth C. Irvine, Receiver, etc. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Fred C. Rector, Mr. Gilbert H. Stewart, Sr., Mr. Gilbert H. Stewart, Jr., and Mr. T. E. Powell, in support of the same, and Mr Andrew Squire, Mr. W. B. Sanders, Mr. Harold T. Clark and Mr. F. B. Daniels in opposition thereto.

933. Monett Electric Light, Power & Ice Co., Appellant, vs. The City of Monett, Missouri. Mr. Frank Bright, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion for an injunction pendente lite

The Philadelphia, Baltimore & Washington Railroad Co.,
521. vs. Plaintiff in Error,
Lillian Tucker, Administratrix, etc.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Alvin L. Newmyer and Mr Levi N. David in support of the same, and Mr. Frederic D. McKenney, Mr. John Spalding Flannery and Mr William Hitz in opposition thereto.

Henry C. Ripley,
887 vs. Appellant,
The United States
The United States,
888. vs. Appellant.
Henry C. Ripley

On motion of Mr. William N. Robeson of counsel, leave is hereby granted to file additional briefs in these cases within three days.

Missouri, Kansas & Texas Railway Co. of Texas,
205. vs. Plaintiff in Error,
Harry C. Bailey.

The supplemental motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph W. Bailey, Mr. J. A. L. Wolfe, Mr. Rice Maxey and Mr B. F. Looney in support of

Joseph M Bryson, Mr. Cecil A. Smith an
Mr Alexander L. Cooke in opposition ther

753. The Oregon Railroad & Navigation Co., vs. Thomas K. Campbell et al. Appellant; Mr. George E. C berlain, in b of counsel, s mitted to th consideration

the Court a motion to advance this caus

1050. The Cincinnati Equipment Co., vs. Joseph E. Degman, Receiver, etc. Petitioner; The petition f writ of certio herein was s mitted to the sideration of Court by Mr J son A. Ralston and Mr. Alexander L. Br in support of the same.

1021. A. K. Atkinson, vs. The United States. Petitioner; The petition for writ of certiorar herein was sub ted to the consi ation of the Court on printed arguments b Mr Robert T. Hough and Mr. J. R. Sansey i support of the same, and Mr. Solicitor Gen Lehmann in opposition thereto

170. Clarence D. Robinson, vs. The Baltimore & Ohio Railroad Co. Plaintiff in Error. On motion of Mr. Henry K. Glower in behalf of counsel for the defendant in error, leave is hereby granted counsel for the defendant in error to file a reply brief herein, and on motion of Mr Charles A Funk, of counsel for the plaintiff in error, leave is hereby granted him to file a reply within three days.

910 Thomas H. Pickford et al., vs. Henry M. Talbott. Appellants, Mr. John Ridout of counsel for the appellee, submitted to the consideration of the court a motion to advance this cause.

305 The State of Missouri ex rel. The Equitable Life Assurance Society of the United States, vs. William D. Van Diver, Superintendent of Insurance for the State of Missouri. Plaintiff in Error In Error to the Supreme Court of the State of Missouri.

It appearing that a stipulation of counsel for the respective parties to dismiss the writ

in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

306 The State of Missouri ex rel Metropolitan Life Insurance Co., Plaintiff in Error, vs. William D. Vandiver, Superintendent of Insurance for the State of Missouri. — In Error to the Supreme Court of the State of Missouri.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

307 The State of Missouri ex rel. The Prudential Insurance Co. of America, Plaintiff in Error, vs. William D. Vandiver, Superintendent of Insurance for the State of Missouri. — In Error to the Supreme Court of the State of Missouri.

of counsel for the respective parties to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Proclamation being made, the Court is ad-

Monday, May 29th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr Solicitor General Lehmann, it is ordered that John T. Evans, Esquire, of Chicago, State of Illinois; George T. Weitzel and Shepard R. Evans, Esquires, of St. Louis, State of Missouri; S. F. Prouty, Esquire, of Des Moines, and William T. Chantland, Esquire, of Fort Dodge, State of Iowa; and Dix W. Noel, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the court in this behalf by Mr Elihu Root it is ordered that William A. Hayes, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. Frederick S Tyler, it is ordered that James B. Murrin, Esquire, of Carbondale, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. E. G. Baxter, it is ordered that C. Matheson, Esquire, of Gainesville, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. E T. Fenwick, it is ordered that Hugo Mock and Harry R. Berlinicke, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the court in this behalf by Mr. E. N. Parry, it is ordered that

City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Clagett, it is ordered that J. Lee D. Clagett, Esquire, of Hyattsville, State of Maryland, and Clair W. Fairbank, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington, it is ordered that Julian Laughlin, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Blair, it is ordered that Alfred Adams Wheat, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cyrus Cline, it is ordered that Thomas M. Honan, Esquire, of Indianapolis, State of Indiana, be admitted to

this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. W. Bradford it is ordered that William R. Ballard, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alex. P. Humphrey, it is ordered that Clayton B. Blakey, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Creed M. Fulton, it is ordered that George Dronford Dyrenforth, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. A. Ford, it is ordered that Louis J. Behan and Gustavus J. Tatge, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Monday, May 29th, 1911, c

On motion first made to the c
behalf by Mr A. B. Browne, it is o
William J. Sullivan and William
Quaid, Esquires, of New York c
mitted to practice as attorneys a
sellors of this Court, and they were
cordingly.

On motion first made to the Court
behalf by Mr. C. D. Clark, it is orde
Douglas A. Preston, Esquire, of the
State of Wyoming, be admitted to p
an attorney and counsellor of this
he was sworn accordingly.

On motion first made to the Court
behalf by Mr. Lorenzo A. Bailey, it
that J. Archibald Moriarty and W
Esquires, of the District of Columb
mitted to practice as attorneys an
sellors of this Court, and they were
accordingly.

On motion first made to the Court
behalf by Mr. Augustus O. Bacon,
that A. L. Stevens, Esquire, of Ware
of North Carolina; Alexander P. S
quire, of Hartwell, and Malcolm D.
and Jesse C. Harris, Esquires, of W
State of Georgia, be admitted to pr

and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Dalzell, it is ordered that George Julian Shaffer, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. D. Crumpacker, it is ordered that Edwin E. Roberts, Esquire, of Carson City, State of Nevada, and A. O. Stanley, Esquire, of Henderson, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Garland Dupré, it is ordered that William Lee Hughes, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Kratz, Jr., it is ordered that Joseph A. Stolper, Esquire, of Krebs, State of Oklahoma, be admitted to practice

and he was sworn accordingly.

On motion first made to the Court in the behalf by Mr. Charles J. Kappler, it is ord that Scott Ferris, Esquire, of Lawton, Stat Oklahoma, be admitted to practice as a attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in the behalf by Mr. Alfred P Thom, it is ordered that Sloss D. Baxter, Esquire, of Nashv State of Tennessee, be admitted to practi as an attorney and counsellor of this Co and he was sworn accordingly

On motion first made to the Court in the behalf by Mr. William E. Borah, it is ord that Charles C. Cavanah, Esquire, of Boi State of Idaho, be admitted to practice a an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in t behalf by Mr James N. Hayden, it is ord that Charles J. Sumner, Esquire, of Dela State of Wisconsin, be admitted to practi as an attorney and counsellor of this Co and he was sworn accordingly.

this behalf by William B. Jaynes; it is ordered that Charles A. Murphy, Esquire, of Houston, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1018 The Lewis Bluepoint Oyster Cultivation Co., Plaintiff in Error, vs. J. Marvin Briggs.

Mr. Solicitor General Lehmann, submitted to the consideration of the Court a motion to advance this cause.

1062 The United States, Plaintiff in Error, vs. Harvey C. Miller et al

1063 The United States, Plaintiff in Error, vs. Harvey C. Miller et al

Mr. Solicitor General Lehmann submitted to the consideration of the Court a motion to advance these cases.

1076 Frank C. Marvin, Petitioner, vs. The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Jackson A. Ralston, Mr. F. L. Siddons and Mr. William E. Richardson in support of the same, with leave to counsel for the respondent to file a brief in

1075 Johnson Educator Food Co., Petitioner, vs. Sylvanus Smith & Co., Incorporated. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Henry Calver and Mr. William A. McLeod in support of the same.

100. The Hannibal Bridge Co., et al., Plaintiffs in Error, vs. The United States. Mr. Frederic D. McKenney, in behalf of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to present a petition for rehearing herein and that the mandate be stayed.

374. Catherine Schlemmer, now Catherine Craig, Plaintiff in Error, vs. The Buffalo, Rochester & Pittsburgh Railway Co. Mr. Frederic D. McKenney, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to present a petition for rehearing herein, and that the mandate be stayed.

Charles West, Attorney General of the State of Oklahoma
916. vs Appellant,
The Kansas Natural Gas Co., et al

The motion to modify the decree of this Court in this cause was submitted to the consideration of the court on printed arguments by Mr. Charles West and Mr. Lo. B. Ames in support of the same, and Mr. John G. Johnson and Mr. D. T. Watson in opposition thereto.

Jennie M. Tuttle,
161 vs. Plaintiff in Error,
Iowa State Traveling Men's Association

The motion to set aside the judgment of dismissal entered herein by this court was submitted to the consideration of the court on printed arguments by Mr. Alfred N. McVey in support of the same, and Mr. Albert B. Cummins in opposition thereto.

Quincy, Omaha & Kansas City Railroad Co.,
882. vs. Plaintiff in Error,
Ora T. Mahoney.

The motion to dismiss or affirm in this cause was submitted to the consideration of the court on the record and a printed argument by Mr. D. N. Watson, in support of the same.

Hoy Moy,
1058 vs. Petitioner
Hart N. North, Commissioner, etc., et al.
Hoo Hoy,
1059 vs Petitioner,
Hart N. North, Commissioner, etc., et al.

The petitions for writs of certiorari herein were submitted to the consideration of the Court by Mr. Corry M. Stadden in support of the same, with leave to the Solicitor General to file a brief in opposition thereto within one week.

The State of Wyoming,
20, Original. vs. Complainant,
The State of Colorado et al.

Mr. Douglas A. Preston, of counsel for the complainant, submitted to the consideration of the Court a motion for leave to file the bill of complaint herein.

Atlantic Coast Line Railroad Co.,
904 vs. Plaintiff in Error,
The State of Georgia.

Mr. A. O. Bacon, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

George W. Cureton,
1006 vs. Plaintiff in Error,
The State of Georgia
George W. Cureton,
1030 vs Plaintiff in Error,

Mr. A. O. Bacon, in behalf of counsel, submitted to the consideration of the Court motions

915. The Richmond, Fredericksburg & Potomac Railroad Co., vs. Plaintiff in Error, The Commonwealth of Virginia

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Samuel W. Williams in support of the same, and Mr. Alex. P. Humphrey, Mr. A. Caperton Braxton and Mr. John S. Eggleston in opposition thereto.

840 Charles T. Preston, vs. Plaintiff in Error, The City of Chicago.

Mr. Allen B. Chilcoat, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

1089. James N. Alsop, vs Petitioner, John Conway et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. George W. Jolly in support of the same, and leave was granted counsel for the respondents to file a brief in opposition thereto hereafter.

1077. John J. McDuffie, Trustee, et al., Petitioners, vs. Hestonville, Mantua & Fairmount Passenger Railway Co. et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Thomas F. Sheridan, Mr Clifton V. Edwards and Mr. Joseph C. Fraley in support of the same, and Mr Frederick P. Fish and Mr. Charles Neave in opposition thereto.

1060. Charles D. Henderson, Petitioner, vs. Pennsylvania Railroad Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. F. Campbell in support of the same, and Mr. Frederic D. McKenney, Mr. John Spalding Flannery and Mr. William Aitz in opposition thereto.

1084. Edward Enders, Petitioner, vs. The United States.

1085. Henry Hinn, Petitioner, vs. The United States.

The petitions for writs of certiorari herein were submitted to the consideration of the Court by Mr. John T. Evans and Mr Frank R. Reed in support of the same, and leave was granted counsel for the respondent

1065 Jesse Walson, Trustee, &c., Petitioner, vs. The European American Bank. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Clayton J. Heermance in support of the same, and Mr. Philip Ashton Rollins in opposition thereto.

241 The United States, Plaintiff in Error, vs. Pierre Urmand et al
242 The United States, Plaintiff in Error, vs. Antonio Inda.
360. Fred Light, Appellant, vs. The United States.

The motion for leave to present a petition for rehearing in these cases as amicus curiae was submitted to the consideration of the Court by Mr. Charles R. Pierce in support of the same. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

1074. The Aetna Life Insurance Co., Petitioner, vs. John T. Moore, Administrator, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George S. Jones in

Mr. Jesse C. Harris, Mr. Alexander A Kerman and Mr. Charles A Kerman in opposition thereto

757. Omaha Electric Light & Power Co., Appellant, vs. The City of Omaha et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Frank Crawford in support of the same, and Mr. Westel W. Moreman and Mr. E. H. Scott in opposition thereto

708 John L. James, Bankrupt, Appellant, vs. Stone & Co., Creditors, et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr H. L. Stevens and Mr. Samuel A. Anderson in support of the same.

1088. The Rubber Tire Wheel Co et al., Petitioners, vs. The Goodyear Tire & Rubber Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Lawrence Maxwell, Mr. Frederick P. Fish and Mr. Charles W. Stapleton in support of the same, and leave

file a brief in opposition thereto hereafter.

70. Dr. John Hopkins, Plaintiff in Error; vs. The Clemson Agricultural College of South Carolina — In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lamar.

Dissenting: Mr. Justice Harlan.

134. Alexander E. Faber and Rudolph C. Faber, doing business under the name and style of G. W. Faber, vs. Appellants, The United States. — Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of

of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the judgment of the said Circuit Court as to the rate of duty on the alcohol be, and the same is hereby, reversed; and that said judgment as to the rate of duty on the cigars be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court. 112 113.

Per Mr. Justice Lamar.

151. The Provident Institution for Savings in the Town of Boston, vs. Dana Malone, Attorney General of the Commonwealth of Massachusetts. Plaintiff in Error; In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court, in this cause be, and the same is hereby, affirmed with costs.

Joaquin Jover y Costas,
vs. Appellant and Plaintiff in Error,
The Insular Government of the
Philippine Islands and The City
of Manila.
The Insular Government of the
Philippine Islands and The City
of Manila,
vs. Appellants and Plaintiff in Error,
Joaquin Jover y Costas.

Appeals from and in Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed. It is further ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with a direction to reverse the judgment of the Court of Land Registration, and remand the cause to that court with a direction to allow registration of the entire tract of land as prayed in the petition

Per Mr. Justice Van Devanter

222. The Baltimore & Ohio Railroad Co., vs. Appellant, Interstate Commerce Commission. Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes.

99 Pere Alfredo Luis Baglin, Superior General, etc., vs. Appellant, Casserly Company. On consideration of the petition for a writ of certiorari herein to bring up the record and proceedings in this cause subsequent to April 19, 1909, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, granted, the record presented with the petition to stand as a return to the writ.

Per Mr. Justice Hughes.

Pere Alfredo Luis Baylin, Superior General of the Order of Carthusian Monks, for himself and all of the other members of said Order,

vs. Appellant,

Cusenier Company.

Appeal from and on Writs of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York, with directions to enter a decree in favor of the complainant amending the decree entered by said Circuit Court in accordance with the opinion of this Court. It is further ordered, adjudged and decreed that the order of the said Circuit Court of Appeals in the contempt proceeding be, and the same is, hereby, affirmed, without prejudice to any future application

115. American Lithographic Co., Plaintiff in Error, vs. Emil Werckmeister

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the Second Circuit.

This cause came on to be heard
script of the record from the United
Circuit Court of Appeals for the Sec
cuit, and was argued by counsel.
eration whereof, It is now here ord
adjudged by this Court that the j
of the said United States Circuit C
Appeals in this cause, be, and the s
hereby, affirmed with costs; and t
cause be, and the same is hereby, re
to the Circuit Court of the United St
the Southern District of New York.

Per Mr. Justice

141. Arthur Briscoe, Appellant, vs. Louis N. Rudolph, John A. Johnston and William V. Judson, Commissioners of the District of Columbia, and The District of Columbia.

Appeal
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This cause came on to be heard on
script of the record from the Court of

by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lurton

1140 Dennis L. Shea, Appellant, vs. Bruno N. Rudolph, John A. Johnston and William V. Judson, Commissioners of the District of Columbia and The District of Columbia

Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lurton

112. David W. Lewis, Plaintiff in Error. vs. L. Fleet Luckett and Margaret Estelle Jones. In Erro Court of of the D of Colum

This cause came on to be heard on transcript of the record from the Court peals of the District of Columbia, a argued by counsel. On consideration of, It is now here ordered and adju by this Court that the judgment of t Court of Appeals in this cause be, and same is hereby affirmed with costs Per Mr. Justice

135 Joseph N. Carpenter, Nathaniel L. Carpenter, Atmore L. Baggot and Sterrett Tate vs. David J. Winn Petitioners, On writ of ri to the U States Circu Court of A for the Seco Circuit

This cause came on to be heard on transcript of the record from the Unit States Circuit Court of Appeals for the Circuit, and was argued by counsel. O sideration whereof. It is now here order and adjudged by this Court that the j ment of the said United States Circu Court of Appeals and the judgment

Southern District of New York in this cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Lurton.

Dissenting:
Mr. Justice Hughes.

W. H. Coyle,
vs. Plaintiff in Error,
Thomas P. Smith, Secretary of State of the State of Oklahoma, et al.

In Error to the Supreme Court of the State of Oklahoma.

No. 411.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lurton.

Dissenting:
Mr. Justice McKenna
Mr. Justice Holmes.

Albert S. Apsey, Receiver of the First National Bank of Chelsea,
132. vs. Plaintiff in Error,
Sydney A. Wilbur, Executor of George E. Kimball, deceased.

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This cause came on to be heard on
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was argued by counsel. On consid
whereof, It is now here ordered and
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United States Circuit Court of Appea
cause be, and the same is hereby, af
with costs; and that this cause be, a
same is hereby, remanded to the Cir
of the United States for the District of
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Per Mr. Justice D

Albert S. Apsey, Receiver of the First National Bank of Chelsea,
133 vs. Plaintiff in Error,
Anna L. Whittemore

In Error
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This cause came on to be heard on the
of the record from the Superior Court of
of Massachusetts, and was argued
el. On consideration

here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

Charles E. Appleby, as Surviving Trustee of the Ogden Land Co.,
162. vs. Plaintiff in Error,
The City of Buffalo.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

J. N. Bean, W. R. Bainbridge, S. W. Bent, Wallace Bent and Corbett Bennell,
122. vs. Petitioners,
W. A. Morris et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the tran-

Circuit Court of Appeals for the N
and was argued by counsel. On
whereof, It is now here ordered, a
decreed by this Court that the dec
said United States Circuit Court
in this cause be, and the same is
firmed with costs; and that this
the same is hereby, remanded to th
Court of the United States for the D
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Per Mr. Justice

433. The United States, Plaintiff in Error, vs. O. A. Johnson

In Er
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District of Missouri.

This cause came on to be heard o
script of the record from the District
the United States for the Western D
Missouri, and was argued by coun
consideration whereof, It is now her
and adjudged by this Court that t
ment of the said District Court in th
be, and the same is hereby, affirmed

Per Mr. Justice

Dissenting:
Mr. Justice Hughes
Mr. Justice Harlan
Mr. Justice Day.

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Holmes.

944 Leibel Pincus vs. William Henkel, United States Marshal for the Southern District of New York. Appellant, Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

136. Montello Salt Co., vs. The State of Utah. Plaintiff in Error, In Error to the Supreme Court of the State of Utah

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, reversed with costs; and that this cause

the said Supreme Court for further proceedings in accordance with the opinion of this Court.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Harlan.

154. Fifth Avenue Coach Co., Plaintiff in Error, vs. The City of New York. — In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. 615

Per Mr. Justice McKenna. 684.

118. The United States of America, Appellant, vs. The American Tobacco Co. et al. — Appeals from the Circuit Court of the United States for the Southern District of New York. 686.

119. The American Tobacco Co et al., Appellants, vs. The United States of America — 798

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of 927.

onsideration whereof. It is now here ordered,
djudged and decreed by this Court that
he decree of the said Circuit Court in this
ause be, and the same is hereby, reversed;
nd that this cause be, and the same is hereby,
emanded to the said Circuit Court with di
ections to enter a decree in conformity with the
hinion of this Court and to take such further
tepe as may be necessary to fully carry out
aid directions.

Per Mr. Chief Justice White.

issenting:
r. Justice Harlan.

he United States of America,
vs. Plaintiff in Error,
t. Louis National Stock Yards.

abriel Diaz,
vs. Plaintiff in Error,
he United States.

he United States of America
vs. Appellant,
he Terminal Railroad Associa-
ion of St. Louis et al

rederick A. Hyde et al.,
vs. Petitioners
he United States.

A. Tilles,
vs. Appellant
F. Regenhardt U. S.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby granted and the

990 The United States. vs Plaintiff in Error
B. N. Barnes et al.
1033 The United States, vs. Plaintiff in Error.
James A. Patten et al.
1043. The United States vs. Plaintiff in Error.
Charles F. Munday et al.

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Per Mr. Chief Justic

753. The Oregon Railroad & Navigation Co., vs. Appellant.
Thomas K. Campbell et al.

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the Court that said motion be, and the
is hereby, granted, and the cause assig
for argument on Tuesday, October 10 th
after the cases heretofore assigned for th

Per Mr. Chief Justice

1054 George T. Simpson et al., Appts, vs. David C. Th
1055 George T. Simpson et al., Appts, vs. Emma B. Kenned
1056 George T. Simpson et al. Appts vs. William Shi

On consideration of the motion to ad
these cases, It is now here ordered by th
that said motion be, and the same is
granted, and the cases assigned for ar
on Tuesday, October 10th next, after th

heretofore assigned for that day.

Per Mr. Chief Justice White.

822. Thomas N. Fields, Appellant, vs. George F. White, United States Marshal, etc. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

913 Thomas N. Pickford et al., Appellants, vs. Henry M. Talbott On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

936. S. D. Harper, Plaintiff in Error, vs. Grant Victor U. S. Marshal &c. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1031. The United States. vs. Petitioner, Wong You, Wong Chung et al. On petition for of certiorari to United States Court of Appe for the Second

On consideration of the petition for a writ certiorari herein to the United States Circui Court of Appeals for the Second Circuit, an of the argument of counsel thereupon had, well in support of as against the same, It now here ordered by the Court that said p tion be, and the same is hereby, granted.

Per Mr. Chief Justice W

1032. Stanley Francis, vs. Petitioner, J. Hector McNeal, Trustee in bankruptcy of The Provident Investment Bureau. On petition for of certiorari to United States C cuit Court of A peals for the T Circuit.

On consideration of the petition for a wri of certiorari herein to the United States Cir Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had as well in support of as against the same It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice W

953. William Jenkins and Sarah Jenkins, vs. Charles Dillingham, Receiver of the Houston Oil Co. of Texas. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1020 Title Guaranty & Trust Co., Jennings Scott McComb and David J. McComb, as sole surviving and acting Executors, etc., vs. John G. Ward, as United States Collector of Internal Revenue, etc. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit

had, as well in support of as against th
It is now here ordered by the Court th
said petition be, and the same is hereb
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Per Mr. Chief Justice

A. K. Atkinson,
1021. vs. Petitioner.
The United States.

On petition for writ
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On consideration of the petition for a w
certiorari herein to the United States C
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Per Mr. Chief Justice W

Fredk. Austin, as Trustee
in bankruptcy of Cameron
Currie & Co.,
1022. vs. Petitioners.
The New York Stock Exchange
and Hayden, Stone & Co.

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On consideration of the petition for a writ
certiorari herein to the United States Circu
Court of Appeals for the Second Circuit, an
of the argument of counsel thereupon had,

now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice White

1025 Frances E. Waterman, wife of Charles A. Crane, vs. Petitioner, The Canal Louisiana Bank and Trust Co., Executor of the last will and testament of Caroline Stannard Tillon, deceased, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

1029 J. M. Baley, United States Marshal for the Western District of North Carolina, vs. Petitioner, Richard J. Woolley and Wratton Whitaker

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit

On consideration of the petition for a writ of

Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1039. The American Disappearing Bed Co., Petitioner, vs. Edward Arnaelsteen. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1040. Norman Marshall. Petitioner. vs. The Bryant Electric Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as

now here ordered by the Court that said petition be, and the same is hereby, denied

Per Mr. Chief Justice White.

1042. The British & Foreign Marine Insurance Co., Limited. vs. Maldonado & Co., Incorporated. Petitioner

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1045. Edward A. Kuehmsted. vs. Farbenfabriken of Elberfeld Co. Petitioners.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It

Monday, May 29th. 1911, continued.

petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1048. Marx & Rawolle, Petitioners, vs. The United States. On petition for writ of certiorari to the United States Court of Customs Appeals.

On consideration of the petition for a writ of certiorari herein to the United States Court of Customs Appeals, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1049. Matthias Radin and Abraham B. Minsky, Petitioners, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1050 The Cincinnati Equipment Co. vs. Joseph P. Degnan, Receiver of the Logan Brick Manufacturing Co. Petitioner.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1053. Colwell Lead Co., vs. Francis J. Torrance et al. Petitioner.

On petition for writ of certiorari to the Circuit Court of the United States for the Eastern District of Pennsylvania.

On consideration of the petition for a writ of certiorari herein to the Circuit Court of the United States for the Eastern District of Pennsylvania, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

907. The Pullman Co., Plaintiff in Error, vs. Ellsworth C. Irvine, Receiver, et al. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merit.

Per Mr. Chief Justice White

21, Original. Ex parte: In the matter of The Merchants Stock & Grain Co., et al., Petitioners. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

21, Original. Ex parte: In the matter of The Merchants Stock & Grain Co., et al., Petitioners. On consideration of the petition for a writ of mandamus herein, It is now here ordered by this Court that cause be shown by the Honorable Walter H. Sanborn, Elmer B. Adams, and Thomas C. Munger, composing the United States Circuit Court of Appeals for the Eighth Circuit, and the said United States Circuit Court of Appeals for the Eighth Circuit,

on Tuesday, October 10th, 1911, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be granted, as prayed in the petition.

Per Mr. Chief Justice White.

933. Monett Electric Light, Power & Ice Co., vs. City of Monett, Missouri. Appellant. On consideration of the motion for an injunction herein pendente lite. It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

205. Missouri, Kansas & Texas Railway Co. of Texas, vs. Harry C. Bailey. Plaintiff in Error, In Error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in

firmed with costs.

Per Mr. Chief Jus

521. The Philadelphia, Balti-
more & Washington Railroad Co.,
vs. Plaintiff in Error,
Lillian Tucker, Administra-
trix of the Estate of Sydney
R. Tucker, deceased.

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This cause came on to be heard
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On consideration whereof, It is
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with costs.

Per Mr. Chief Jus

The Chief Justice made the follo
nouncement:

The following Committee is ann
examine and report such changes i
of Practice for the Courts of Equity
States as may be deemed best:

Mr. Justice Lurton, Mr. Justice Va
and the Chief Justice, ex officio, as Co

100. The Hannibal Bridge Co. et al. vs. Plaintiffs in Error, The United States

On consideration of the motion for leave to present a petition for rehearing herein, and that the mandate be stayed, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

374. Catherine Schlemmer, now Catherine Craig, vs. Plaintiff in Error, The Buffalo, Rochester & Pittsburgh Railway Co.

On consideration of the motion for leave to present a petition for rehearing herein and that the mandate be stayed, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

161. Jennie M. Tuttle, vs. Plaintiff in Error. Iowa State Traveling Men's Association

On consideration of the motion to set aside the judgment of dismissal entered herein, and reinstate this case upon the docket, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, provided the necessary deposit to print the transcript of the record is

20, Original. The State of Wyoming, Complainant. vs. The State of Colorado et al.

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in, It is now here ordered by the C
said motion be, and the same is he
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on October 9th next.

Per Mr. Chief Justi

916. Charles West, Attorney General, etc., vs. Appellant, The Kansas Natural Gas Co., et al.

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counsel thereupon had, as well in su
as against the same, It is now here
by the Court that either party be at
apply to the Court below for a modi
of the decree in so far as they may de
modification required to secure conf
the opinion of this Court.

Per Mr. Chief Jus

118. The United States, vs. Appellant, The American Tobacco Co. et al.

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119 The American Tobacco Co. et al., vs Appellants, The United States.

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leave is hereby granted to present a petition for rehearing herein within thirty days, and the issuing of the mandate is stayed for that period of time.

430. John A. Benson, vs. L. J. Dolan, Sheriff of the City and County of San Francisco, State of California. — Appeal from the Circuit Court of the United States for the Northern District of California.

This cause having been called to the attention of the Court by Mr. Solicitor General Lehmann, and he having presented a suggestion of the death of the appellant in this cause, and it appearing to the Court that the said cause has abated by reason of the death of the appellant. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice White.

795 David N. Edington, Trustee of J. Henry Masson, Bankrupt, vs. Frances D. Masson and J. Henry Masson. Appellant. — Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

It appearing to the Court that a motion of

filed. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Order.

It is now here ordered by the Court that all the cases on the docket not decided and all the other business of the term not disposed of be, and the same are hereby, continued until the next term.

Per Mr. Chief Justice White.

Proclamation being made, the Court is adjourned